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सं. 35] नई दिल्ली, अगस्त 22-अगस्त 28, 2010, शनिवार/श्रावण 31-भाद्र 6, 1932
No. 35] NEW DELHI, AUGUST 22-AUGUST 28, 2010, SATURDAY/SHRAVANA 31-BHADRA 6, 1932

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

मुख्य आयकर आयुक्त का कार्यालय
जयपुर, 18 अगस्त, 2010
सं. 3/2010-11

OFFICE OF THE CHIEF
COMMISSIONER OF INCOME TAX
Jaipur, the 18th August, 2010
No.3/2010-11

का.आ. 2094.—आयकर नियम, 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 (1961 का 43 वां) की धारा 10 के खण्ड (23 सी) की उप-धारा (vi) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, जयपुर एतद्वारा निर्धारण वर्ष 2009-2010 एवं आगे के लिए कथित धारा के उद्देश्य से "सॉवरिया पब्लिक स्कूल समिति, जयपुर" को स्वीकृति देते हैं बशर्ते कि समिति आयकर नियम, 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 की धारा 10 के उप-खण्ड (23 सी) की उपधारा (vi) के प्रावधानों के अनुरूप कार्य करे।

[क्रमांक:मुआआ/अआआ/(मु)/जय/10(23सी)(vi)/10-11/1799]

मुकेश भान्ती, मुख्य आयकर आयुक्त

S.O. 2094.— In exercise of the powers conferred by sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with rule 2CA of the Income-tax Rules, 1962 the Chief Commissioner of Income-tax, Jaipur hereby approves "Sanwaria Public School Samiti, Jaipur" for the purpose of said section for the A. Y. 2009-2010 and onwards.

Provided that the society conforms to and complies with the provisions of sub-clause (vi) of clause (23 C) of Section 10 of the Income-tax Act, 1961 read with rule 2CA of the Income-tax Rules, 1962.

[No.CCIT/JPR/Addl.CIT(Hqrs.)/10(23C)(vi)/2010-11/1799]
MUKESH BHANTI, Chief Commissioner of Income-tax

जयपुर, 19 अगस्त, 2010

सं. 5/2010-11

का.आ. 2095.— आयकर नियम, 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 (1961 का 43वां) की धारा 10 के खण्ड (23 सी) की उपधारा (vi) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मुख्य आयकर आयुक्त, जयपुर एतद्वारा निर्धारण वर्ष 2009-2010 एवं आगे के लिए कथित धारा के उद्देश्य से "आल इण्डिया आर्य समाजीज सोसायटी फॉर एडवान्स एजुकेशन एण्ड रिसर्च गांव-झरखेरा, जिला अलवर" को स्वीकृति देते हैं बशर्ते कि समिति आयकर नियम, 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 की धारा 10 के उप-खण्ड (23 सी) की उप-धारा (vi) के प्रावधानों के अनुरूप कार्य करे।

[क्रमांक:मुआआ/अआआ/(मु)/जय/10(23सी)(vi)/10-11/1814]

मुकेश भान्ती, मुख्य आयकर आयुक्त

Jaipur, the 19th August, 2010

No. 5/2010-11

S.O. 2095.— In exercise of the powers conferred by sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with rule 2CA of the Income-tax Rules, 1962 the Chief Commissioner of Income-tax, Jaipur hereby approves "All India Arya Samajis Society for Advance Education and Research, Vill.-Jharkhera, District-Alwar" for the purpose of said section for the A. Y. 2009-2010 and onwards.

Provided that the society conforms to and complies with the provisions of sub-clause (vi) of clause (23 C) of section 10 of the Income-tax Act, 1961 read with rule 2CA of the Income-tax Rules, 1962.

[No.CCIT/JPR/Addl.CIT(Hqrs.)/10(23C)(vi)/2010-11/1814]

MUKESH BHANTII, Chief Commissioner of Income-tax

जयपुर, 19 अगस्त, 2010

सं. 4/2010-11

का.आ. 2096.— आयकर नियम, 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 (1961 का 43 वां) की धारा 10 के खण्ड (23 सी) की उपधारा (vi)

के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मुख्य आयकर आयुक्त, जयपुर एतद्वारा निर्धारण वर्ष 2009-2010 एवं आगे के लिए कथित धारा के उद्देश्य से "एस. एस. मोदी एजुकेशन ट्रस्ट, झुन्जुनु" को स्वीकृति देते हैं बशर्ते कि समिति आयकर नियम, 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 की धारा 10 के उप-खण्ड (23 सी) की उप-धारा (vi) के प्रावधानों के अनुरूप कार्य करे।

[क्रमांक:मुआआ/अआआ/(मु)/जय/10(23सी)(vi)/10-11/1818]

मुकेश भान्ती, मुख्य आयकर आयुक्त

Jaipur, the 19th August, 2010

No. 4/2010-11

S.O. 2096.— In exercise of the powers conferred by sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with rule 2CA of the Income-tax Rules, 1962 the Chief Commissioner of Income-tax, Jaipur hereby approves "S. S. Mody Education Trust, Jhunjhunu" for the purpose of said section for the A. Y. 2009-2010 & onwards.

Provided that the society conforms to and complies with the provisions of sub-clause (vi) of clause (23 C) of section 10 of the Income-tax Act, 1961 read with rule 2CA of the Income-tax Rules, 1962.

[No.CCIT/JPR/Addl.CIT(Hqrs.)/10(23C)(vi)/2010-11/1818]

MUKESH BHANTII, Chief Commissioner of Income-tax

सूचना एवं प्रसारण मंत्रालय

नई दिल्ली, 2 अगस्त, 2010

का.आ 2097.— इस मंत्रालय की दिनांक 10-11-2009 की समसंख्यक अधिसूचना के क्रम में और चलचित्र (प्रमाणन) नियम, 1983 के नियम 7 एवं 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 5 की उप-धारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार, श्रीमती पी. पदमावती, डी.नं. 11-6-53/1, पोच्चमाबाग, सरूरनगर, हैदराबाद-500035 को दो वर्ष की अवधि या अगले आदेशों तक

जो भी पहले हो केन्द्रीय फिल्म प्रमाणन बोर्ड के हैदराबाद सलाहकार पैनल के सदस्य के रूप में नियुक्त करती है।

[फा. सं. 809/3/2009-एफ (सी)]

अमिताभ कुमार, निदेशक (फिल्म)

**MINISTRY OF INFORMATION AND
BROADCASTING**

New Delhi, the 2nd August, 2010

S.O. 2097.— In continuation of Ministry's Notification of even number, dated 10-11-2009 and in exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to appoint Smt. P. Padmavathi, D. No. 11-6-53/1, Pochammabagh, Saroornagar, Hyderabad-500035 as a member of the Hyderabad Advisory Panel of the Central Board of Film Certification with immediate effect for a period of two years or until further orders, whichever is earlier.

[F.No.809/3/2009-F(C)]

AMITABH KUMAR, Director (Films)

नई दिल्ली, 3 अगस्त, 2010

का.आ 2098.— इस मंत्रालय की दिनांक 10-11-2009 की समसंख्यक अधिसूचना के क्रम में और चलचित्र (प्रमाणन) नियम, 1983 के नियम 7 एवं 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 5 की उप-धारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार, श्री बी. जी. चन्द्रशेखर, सं. 3372, संवेंथ मेन, सेकेंड क्रॉस, आरपीसी लेआउट, विजयानगर, बंगलूर - 560104 को दो वर्ष की अवधि या अगले आदेशों तक जो भी पहले हो केन्द्रीय फिल्म प्रमाणन बोर्ड के बंगलूर सलाहकार पैनल के सदस्य के रूप में नियुक्त करती है।

[फा. सं. 809/5/2009-एफ (सी)]

अमिताभ कुमार, निदेशक (फिल्म)

New Delhi, the 3rd August, 2010

S.O. 2098. In continuation of Ministry's Notification of even number, dated 10-11-2009 and in exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to appoint Shri B. G. Chandrashekar, No.3372, 7th Main, 2nd Cross, RPC Layout, Vijayanagar, Bangalore-560104 as a member of the Bangalore Advisory panel of the Central Board of Film Certification with immediate effect for a period of two years or until further orders, whichever is earlier.

[F.No. 809/5/2009-F(C)]

AMITABH KUMAR, Director (Films)

नई दिल्ली, 12 अगस्त, 2010

का.आ 2099.— इस मंत्रालय की दिनांक 10-11-2009 की समसंख्यक अधिसूचना के क्रम में और चलचित्र (प्रमाणन) नियम,

1983 के नियम 7 एवं 8 के साथ पठित चलचित्र अधिनियम 1952 (1952 का 37) की धारा 5 की उप-धारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार, श्री संजीव मल्होत्रा, 1बी/51, मल्होत्रा बिल्डिंग, रमेश नगर, नई दिल्ली-15 को दो वर्ष की अवधि या अगले आदेशों तक जो भी पहले हो केन्द्रीय फिल्म प्रमाणन बोर्ड के दिल्ली सलाहकार पैनल के सदस्य के रूप में नियुक्त करती है।

[फा. सं. 809/8/2009-एफ (सी)]

अमिताभ कुमार, निदेशक (फिल्म)

New Delhi, the 12th August, 2010

S.O. 2099.— In continuation of this Ministry's Notification of even number, dated 10-11-2009 and in exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to appoint Shri Sanjeev Malhotra, 1B/51, Malhotra Building, Ramesh Nagar, New Delhi-15 as a member of the Delhi Advisory panel of the Central Board of Film Certification with immediate effect for a period of two years or until further orders, whichever is earlier.

[F.No.809/8/2009-F(C)]

AMITABH KUMAR, Director (Films)

वाणिज्य एवं उद्योग मंत्रालय

(वाणिज्य विभाग)

नई दिल्ली, 17 अगस्त, 2010

का.आ 2100.— सरकारी स्थान (अप्राधिकृत अधिभागियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार एतद्वारा सरकार के राजपत्रित अधिकारी के समकक्ष अधिकारी होने के कारण निम्नलिखित तालिका के कॉलम (1) में उल्लिखित अधिकारी को उक्त अधिनियम के प्रयोजनार्थ स्टेट ट्रेडिंग कॉरपोरेशन ऑफ इंडिया लि. में संपदा अधिकारी नियुक्त करती है जो प्रदत्त शक्तियों का प्रयोग करेगा और उक्त तालिका के कॉलम (2) में तदनुसंगी प्रविष्टि में विनिर्दिष्ट सरकारी स्थान के संबंध में उक्त अधिनियम द्वारा अथवा उसके अधीन संपदा अधिकारी को सौंपी गई ड्यूटियों का निष्पादन करेगा।

तालिका

(1)	(2)
(श्री हरि सिंह)	आवासीय मकानों के साथ-
उप महाप्रबंधक (प्रशासन)	साथ जवाहर व्यापार भवन,
तथा मुख्य अभियन्ता स्टेट	नई दिल्ली सहित स्टेट ट्रेडिंग
ट्रेडिंग कॉरपोरेशन ऑफ इंडिया	कॉरपोरेशन ऑफ इंडिया लि.
लि. जवाहर व्यापार भवन,	से संबंधित सभी कार्यालय
टॉलस्टॉय मार्ग नई दिल्ली	परिसर

[फा. सं. 6/6/2006-एफ टी (एस टी)]

अदिति दास राउत, निदेशक

MINISTRY OF COMMERCE AND INDUSTRY

(Department of commerce)

New Delhi, the 17th August, 2010

S.O. 2100.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being an officer equivalent to the rank of Gazetted Officer of the Government, to be Estate Officer in State Trading Corporation of India Limited, for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed on Estate Officer by or under the said Act, in respect of the Public Premises specified in the corresponding entry in column (2) of the said Table.

TABLE

(1)	(2)
Shri Hari Singh Deputy General Manager (Admn.) & Chief Engineer State Trading Corporation of India Limited, Jawahar Vyapar Bhawan, Tolstoy Marg, New Delhi.	The residential accommodation as well as the office premises belonging to State Trading Corporation of India Limited including Jawahar Vyapar Bhawan, New Delhi.

[F.No.6/6/2006-FT (ST)]

ADITI DAS ROUT, Director

वस्त्र मंत्रालय

नई दिल्ली, 18 अगस्त, 2010

का.आ. 2101.—केंद्र सरकार एतद्वारा यह अधिसूचित करती है कि राज्य सभा ने केंद्रीय रेशम बोर्ड अधिनियम, 1948 की धारा 4 की उप-धारा (3) के खण्ड (ग) के अनुसरण में इस अधिनियम के प्रावधानों के अधधीन श्री धीरज प्रसाद साहू, सदस्य, राज्य सभा को तीन वर्षों की अवधि के लिए केंद्रीय रेशम बोर्ड के सदस्य के रूप में कार्य करने के लिए 4 अगस्त, 2010 को विधिवत चुन लिया है।

[फा. सं. 25012/1/2008 - रेशम]

मोनिका एस. गर्ग, संयुक्त सचिव

MINISTRY OF TEXTILES

New Delhi, the 18th August, 2010

S.O. 2101.—Central Government hereby notifies that the Rajya Sabha has in pursuance of clause (c) of sub-section (3) of section 4 of the Central Silk Board Act, 1948 duly elected Shri Dhiraj Prasad Sahu Member, Rajya Sabha, on 4th August, 2010 to serve as a member of the Central Silk Board for a period of three years subject to the provisions of the Act.

[F.No.25012/1/2008-Silk]

MONIKA S. GARG, Jt. Secy.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 20 जुलाई, 2010

का.आ. 2102.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं, वह वे स्थापित हो गए हैं :-

अनुसूची

क्रम सं.	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आई एस 9401 (Part 19):2009 नदी घाटी परियोजनाओं में कार्य मापन की पद्धतियाँ (बोध और सम्बन्ध संरचनाएं) भाग 19 विद्युत - यांत्रिकीय कार्य	-	31-12-2009

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह ज़फर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : डब्ल्यू आर डी-23/टी-36]

जे. सी. अरोड़ा, वैज्ञानिक 'एफ' एवं प्रमुख (जल संसाधन वि.)

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

BUREAU OF INDIAN STANDARDS

New Delhi, the 20th July, 2010

S.O. 2102.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987 the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl.No.	No.. Title and Year of the Indian Standards Established	No. and Year of the Indian Standards, if any, Superseded by the New Indian Standards	Date of Establishment
(1)	(2)	(3)	(4)
1	IS 9401 (Part 19):2009 Method of Measurement of Works in River Valley Projects (Dams and appurtenant structures) Part 19 Electro-Mechanical Works	-	31-12-09

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: WRD-23/T-36]

J. C. ARORA, Sc-F & Head (Water Resource Deptt.)

नई दिल्ली, 20 जुलाई, 2010

का.आ. 2103. — भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम सं.	संशोधित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1	आईएस 513:2008 अतप्त लघुकृत अल्प कार्बन इस्पात की चादर एवं पत्ती (पांचवा पुनरीक्षण)	संशोधन संख्या 1 जुलाई 2010	16-7-2010

इस संशोधन की प्रतियां भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयंबटूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 4/टी 14]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 20th July, 2010

S.O. 2103.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987 the Bureau of Indian Standards hereby notifies that the Amendment, Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No. & Year of the amendment (s)	No. & Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1	IS 513:2008 Cold reduced low carbon steel sheet and strip (fifth revision)	Amendment No.1 July 2010	16-7-2010

Copy of this amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices: New Delhi, Kolkatta, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MTD-4/T-14]

P. GHOSH, Sc-F & Head (Met Engg.)

नई दिल्ली, 22 जुलाई, 2010

का.आ. 2104. —भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम सं.	संशोधित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1	आईएस 1239 (Part 2):1992— मृदु इस्पात की नलियाँ, नलिकाकार और पिटवां इस्पात की अन्य फिटिंगें भाग 2 मृदु इस्पात साकेट, नलिकाकार तथा पिटवां इस्पात की अन्य पाइप फिटिंगें विशिष्ट (चौथा पुनरीक्षण)	संशोधन संख्या 7 जुलाई 2010	16-7-2010

इन संशोधनों की प्रतियाँ भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी-19/टी-31]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 22nd July, 2010

S.O. 2104.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987 the Bureau of Indian Standards hereby notifies that the Amendment, Indian Standard, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl.No.	No. & Year of the Indian Standard (s) amendment (s)	No. & Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1	IS 1239 (Part 2):1992 Specification for Mild Steel tubes, tubulars and other wrought steel fittings Part 2 Mild steel sockets tubular and other wrought steel pipe fittings (fourth revision)	Amendment No. 7 July 2010	16-7-2010

Copy of this Amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MTD 19/T-31]

P. GHOSH, Sc-F & Head (Met Engg.)

नई दिल्ली, 3 अगस्त, 2010

का.आ. 2105.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :-

अनुसूची

क्रम सं.	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आईएस 15873:2010 जलमितीय निर्धारण- अस्थायी प्रणाली और अल्पकालिक सरिता	-	31-1-2010

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ : डब्लू आर डी 1/टी-73]

जे. सी. अरोड़ा, वैज्ञानिक 'एफ' एवं प्रमुख (जल संसाधन वि.)

New Delhi, the 3rd August, 2010

S.O. 2105.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987 the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. Title and Year of the Indian Standards Established	No. and Year of the Indian Standards, if any, Superseded by the New Indian Standards	Date of Establishment
(1)	(2)	(3)	(4)
1	IS 15873:2010 Hydrometric Determination - Unstable Channels and Ephemeral Streams	-	31-1-2010

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: WRD 1/T-73]

J. C. ARORA, Sc-F & Head (Water Resources Deptt.)

नई दिल्ली, 3 अगस्त, 2010

का.आ. 2106.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :-

अनुसूची

क्रम सं.	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आईएस 9922:2010 खुले चैनलों में द्रव प्रवाह मापन की पद्धति के चयन की सामान्य मार्गदर्शिका (पहला पुनरीक्षण)	आई एस 9922:1981	31-1-2010

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : डब्ल्यू आर डी 1/टी-78]

जे. सी. अरोड़ा, वैज्ञानिक 'एफ' एवं प्रमुख (जल संसाधन वि.)

New Delhi, the 3rd August, 2010

S.O. 2106.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987 the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl.No.	No. Title and Year of the Indian Standards Established	No. and Year of the Indian Standards, if any, Superseded by the New Indian Standard.	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS 9922:2010 Measurement of liquid flow in open channel-General Guidelines for selection of method (first revision)	IS 9922:1981	31-1-2010

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: WRD 1/T-78]

J. C. ARORA, Sc-F & Head (Water Resources Deptt.)

नई दिल्ली, 11 अगस्त, 2010

का.आ. 2107.— भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस भारतीय मानकों के विवरण नीचे अनुसूची में दिया गया है वे स्थापित हो गए हैं :-

अनुसूची

क्रम सं.	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आईएस 302,2,6 : 2009 घरेलू और समान विद्युत साधित्रों की सुरक्षा : भाग 2 विशेष अपेक्षाएं अनुभाग 6 पकाने के रेंज, पकाने की मेज और अवन तथा समान साधित्र (पहला पुनरीक्षण)	-	31-12-2009
2.	आईएस 302,2,9 : 2009 घरेलू और समान विद्युत साधित्रों की सुरक्षा : भाग 2 विशेष अपेक्षाएं अनुभाग 9 टोस्टर, ग्रिल, रोस्टर और समान साधित्र (पहला पुनरीक्षण)	-	31-12-2009

(1)	(2)	(3)	(4)
3.	आईएस 302,2,14 : 2009 घरेलू और समान विद्युत साधित्रों की सुरक्षा : भाग 2 विशेष अपेक्षाएं अनुभाग 14 बिजली की रसोई मशीनें (पहला पुनरीक्षण)	-	31-12-2009
4.	आईएस 302,2,14 : 2009 घरेलू और समान विद्युत साधित्रों की सुरक्षा : भाग 2 विशेष अपेक्षाएं अनुभाग 15 तापन द्रवों के साधित्र (पहला पुनरीक्षण)	-	31-12-2009
5.	आईएस 302,2,23 : 2009 घरेलू और समान विद्युत साधित्रों की सुरक्षा : भाग 2 विशेष अपेक्षाएं अनुभाग 23 त्वचा अथवा वालों की देखभाल के लिए साधित्र (पहला पुनरीक्षण)	-	31-12-2009
6.	आईएस 302,2,31 : 2009 घरेलू और समान विद्युत साधित्रों की सुरक्षा : भाग 2 विशेष अपेक्षाएं अनुभाग 31 रेंज हुड (पहला पुनरीक्षण)	-	31-12-2009

इन भारतीय मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : ईटी 32/टी-87, टी-88(ए), टी-96, टी-82, टी-85, टी-119]

आर. के. ब्रेहन, वैज्ञानिक 'एफ' एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 11th August, 2010

S.O. 2107.—In pursuance of clause (b) of sub-rule (1) of Rule of Rule (1) 7 of the Bureau of Indian Standards Rules, 1987 the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued:

SCHEDULE

Sl.No.	No. & Year of the Indian Standards	No. and Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 302-2-6 : 2009 Safety of Household and Similar Electrical Appliances. Part 2 Particular Requirements. Section 6	-	31-12-2009

(1)	(2)	(3)	(4)
	Cooking Ranges, Hobs,Ovens and Similar Appliances (First Revision)		
2.	IS 302-2-9 : 2009 Safety of Household and Similar Electrical Appliances. Part 2 Particular Requirements. Section 9 Toasters, Grills, Roasters and Similar Appliances (First Revision)	-	31-12-2009
3.	IS 302-2-14 : 2009 Safety of Household and Similar Electrical Appliances. Part 2 Particular Requirements. Section 14 Electrical Kitchen Machines (First Revision)	-	31-12-2009
4.	IS 302-2-15 : 2009 Safety of Household and Similar Electrical Appliances. Part 2 Particular Requirements. Section 15 Appliances for Heating Liquids (First Revision)	-	31-12-2009
5.	IS 302-2-23 : 2009 Safety of Household and Similar Electrical Appliances. Part 2 Particular Requirements. Section 23 Appliances for Skin or Hair care (First Revision)	-	31-12-2009
6.	IS 302-2-31 : 2009 Safety of Household and Similar Electrical Appliances. Part 2 Particular Requirements. Section 31 Range Hoods	-	31-12-2009

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: ET32/T-87, T-88(A), T-96, T-82, T-85, T-119]

R. K. TREHAN, Sc-E & Head (Electrotechnical)

नई दिल्ली, 16 अगस्त, 2010

का.आ. 2108.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 6 के उपविनियम (3) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा नीचे अनुसूची में दिए गये उत्पादों की मुहरांकन शुल्क अधिसूचित करता है :-

अनुसूची

भारतीय मानक सं.	भाग	अनु. वर्ष	उत्पाद	इकाई	न्यूनतम मुहरांका शुल्क		इकाई दर	स्लैब 1 में इकाइयाँ	स्लैब 2 में इकाइयाँ	इकाई दर	स्लैब 2 में इकाइयाँ	इकाई दर	प्रचालन तिथि
					बड़े पैमाने पर	छोटे पैमाने पर							
15265		2003	कृषि पंपों की चूषण और वितरण लाइनों के लिए पॉलिमर प्रबलित ताप सुघट्य अथवा नम्य पी वी सी पाईप-विशिष्ट	प्रति यूनिट 1 मीट्रिक टन	1,03,000	88,000	180 प्रति इकाई	-	-	-	-	-	20-5-2010

[सं.: के मु वि/13:10]

सी. के. महेश्वरी, वैज्ञानिक जी (प्रमाणन)

New Delhi, the 16th August, 2010

S.O. 2108.—In pursuance of sub-regulation (3) of regulation 6 of the Bureau of Indian Standards (Certification) Regulations 1988, the Bureau of Indian Standards, hereby notifies the Marking fee for the products given in the schedule : —

SCHEDULE

IS No.	Part	Sec	Year	Product	Units	Minimum Marking Fee (Rs.)		Unit Rate	Units in Slab-1	Unit Rate in Slab-2	Units in Slab-2	Rema- ining	Effect- ive Date
						Large Scale	Small Scale						
15265	-		2003	Flexible PVC Pipe for Polymer Reinforced Thermoplastic Hoses for Suction and delivery Lines of Agricultural Pumps- Specification	One Unit = 1 M.T.	1,03,000	88,000	Rs 180 Per Unit					20-5-2010

[No. CMD/13:10]

C. K. MAHESHWARI, Scientist-G (Certification).

कोयला मंत्रालय

नई दिल्ली, 19 अगस्त, 2010

का.आ. 2109.—केंद्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसका पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) के अधीन भारत सरकार में कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्या का.आ. 450 तारीख 3 फरवरी, 2010 जो भारत के राजपत्र भाग II, खंड 3, उपखंड (ii), तारीख 13 फरवरी, 2010 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 580.638 हेक्टर (लगभग) या 1434.81 एकड़ (लगभग) है, कोयले का पूर्वक्षण करने के अपने आशय की सूचना दी थी;

और केंद्रीय सरकार को यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूची में विहित उक्त भूमि के भाग में कोयला अभिप्राप्त है ;

अतः केंद्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे संलग्न अनुसूची में वर्णित 536.551 हेक्टर (लगभग) या 1325.81 एकड़ (लगभग) माप की उक्त भूमि का अर्जन करने के अपने आशय की सूचना देती है;

टिप्पण 1 : इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक सं. एसईसीएल/बीएसपी/जीएम(पीएलजी)/लैंड/381 तारीख 12 अप्रैल, 2010 का निरीक्षण कलेक्टर, जिला- शहडोल या कलेक्टर, जिला- अनुपपूर (मध्यप्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, कांउंसिल हाउस स्ट्रीट, कोलकाता-700001 के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, (राजस्व अनुभाग) सीपत रोड, बिलासपुर-495006 (छत्तीसगढ़) के कार्यालय में किया जा सकता है।

टिप्पण 2 : उक्त अधिनियम की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध है :

अर्जन के बाबत आपत्तियाँ :

- “8(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

स्पष्टीकरण :

- (1) इस धारा के अन्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सक्रियाएँ करना चाहता है और ऐसी सक्रियाएँ केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।
- (2) उपधारा (1) के अधीन प्रत्येक आपत्ति सक्षम अधिकारी को लिखित रूप में की जाएगी और सक्षम अधिकारी, आपत्तिकता को स्वयं सुने जाने, विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जाँच, यदि कोई हो, करने के पश्चात्, जो वह आवश्यक समझता है, वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि का या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।
- (3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होगा, यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं।”

टिप्पण 3 : केन्द्रीय सरकार ने कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता-700001 को उक्त अधिनियम की धारा 3 के अधीन अधिसूचना सं. का.आ. 905, तारीख 20 मार्च, 1987 जो भारत के राजपत्र भाग II, खंड 3, उपखंड (ii), तारीख 4 अप्रैल, 1987 में प्रकाशित की गई थी, द्वारा सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

**बकही ब्लाक दूसरा विस्तार, सोहागपुर क्षेत्र,
जिला शहडोल और अनूपपुर (मध्य प्रदेश)**

(रेखांक संख्या: एसईसीएल/बीएसपी/जीएम(पीएलजी)/लैंड/381, तारीख 12 अप्रैल, 2010)

सभी अधिकार :**(क) राजस्व भूमि :**

क्रम सं.	ग्राम का नाम	बन्दोबस्त संख्या	पटवारी हल्का संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणी
1.	बकहो	630	103	सोहागपुर	शहडोल	93.512	भाग
2.	बकही	629	47	अनूपपुर	अनूपपुर	416.118	भाग

कुल क्षेत्र :—509.630 हेक्टर (लगभग) या 1259.29 एकड़ (लगभग)

(ख) राजस्व वन भूमि :

क्रम सं.	ग्राम का नाम	बन्दोबस्त संख्या	पटवारी हल्का संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणी
1.	बकहो	630	103	सोहागपुर	शहडोल	25.998	भाग
2.	बकही	629	47	अनूपपुर	अनूपपुर	0.923	भाग

कुल क्षेत्र :—26.921 हेक्टर (लगभग) या 66.52 एकड़ (लगभग)

कुल योग (क+ख) :—536.551 हेक्टर (लगभग) या 1325.81 एकड़ (लगभग)

1. ग्राम बकहो (भाग) में अर्जित किए जाने वाले प्लॉट संख्या : 100, 101, 103 से 109, 126, 133 से 136, 151, 152, भाग, 153 से 164, 166 भाग, 167 भाग, 168 से 171, 173 से 187, 193 से 215, 241 से 246, 500 से 525, 537 से 539, 550 भाग, 551 से 561,

563 से 568, 570 से 589, 650, 655 से 682, 685 से 694, 706 से 708, 710, 711, 777, 778 भाग, 779 भाग, 780 भाग, 1132 भाग, 1134, 1135 भाग, 1140, 1141, 1142 भाग, 1167 भाग, 1168 भाग, 1169 भाग, 1170 से 1180, 1182, 1185 से 1190, 1191 भाग, 1192 से 1194, 1195 भाग, 1199, 1202 भाग, 1220 भाग, 1221 भाग, 1222 से 1224, 1225 भाग, 1226 भाग, 1249 भाग, 1250 भाग, 1251 से 1253, 1289, 1292 से 1309, 1310 भाग, 1360 भाग, 650/1401, 678/1402, 101/1414, 105/1417, 205/1418 ।

2. ग्राम बकही (भाग) में अर्जित किए जाने वाले प्लॉट संख्या : 2 से 106, 107 भाग, 108, 110 भाग, 113 भाग, 114, 115, 116 भाग, 117 भाग, 119 से 201, 204, 205 भाग, 206 भाग, 207 से 212, 213 भाग, 214, 215, 218 से 404, 405 भाग, 412 से 418, 427, 428, 430 से 432, 433 भाग, 434 से 436, 438, 443 से 445, 446, 447, 469, 470 भाग, 473 से 519, 529 से 539, 545, 547 से 549, 555 भाग, 558 से 786, 788 से 790, 792 से 967, 968 भाग, 969 से 999, 1000 भाग, 1001 से 1106, 1107 भाग, 1108, 1109 भाग, 1110 से 1141, 1144 से 1148, 1149 भाग, 1150 भाग, 1151 से 1159, 1160 भाग, 1161 भाग, 1216 से 1222, 1229 से 1245, 1246 भाग, 1247 से 1252, 1253 भाग, 1288 भाग, 1289 भाग, 1290 भाग, 1291 भाग, 1308 भाग, 1310 भाग, 1341, 1344 भाग, 1345 भाग, 1346 भाग, 1347 भाग, 1348 भाग, 1349 भाग, 1350 भाग, 1351 भाग, 1352 भाग, 1353 भाग, 1354 भाग, 1355 भाग, 1356 भाग, 1358 भाग, 1359 भाग, 1360 से 1411, 1412 भाग, 1413, 1414, 1416 भाग, 1418, 1420 भाग, 1421 भाग, 1422 भाग, 1423 भाग, 1424 से 1428, 1429 भाग, 1060/1718, 1414/1720, 1414/1721, 169/1725, 496/1728, 914/1729 ।

सीमा वर्णन :-

ब्लाक 1—

- क-ख रेखा ग्राम बकहो में बिन्दु “क” से आरंभ होती है और प्लॉट संख्या 1202, 1169, 1168 से गुजरती है और बिन्दु “ख” पर मिलती है ।
- ख-ग रेखा प्लॉट संख्या 1168 की सीमा से होकर, 1167 से होकर, 1171, 1173, 1132 से होकर, 1142 से गुजरकर, 1141, 1140 से होकर, 1135 से गुजरती है, 1134 से होती हुई और बिन्दु “ग” पर मिलती है ।
- ग-घ रेखा प्लॉट संख्या 1134, 1135 से होकर, 1132 से गुजरकर, 1179, 1180 से होकर जाती है और बिन्दु “घ” पर मिलती है ।
- घ-क रेखा प्लॉट संख्या 1180, 1174, 1172, 1170 की सीमा से होकर, 1202 से गुजरती है और आरम्भिक बिन्दु “क” पर मिलती है ।

ब्लाक 2—

- ङ-च रेखा ग्राम बकहो में बिन्दु “ङ” से आरंभ होती है और प्लॉट संख्या 1226, 1225, 1221, 1220, 1191 से होकर, 1194 से होकर, 1195 से गुजरकर, 1199 से होकर जाती है और बिन्दु “च” पर मिलती है ।
- च-छ रेखा प्लॉट संख्या 1199, 1194, 1182, 1185 की सीमा से होकर जाती है और बिन्दु “छ” पर मिलती है ।
- छ-ज रेखा प्लॉट संख्या 1185, 1188, 1251, 1253, 1252 की सीमा से होकर जाती है और बिन्दु “ज” पर मिलती है ।
- ज-ड रेखा प्लॉट संख्या 1252 की सीमा से होकर, 1250, 1249 से होकर, 1225, 1226 से जाती है और आरम्भिक बिन्दु “ङ” पर मिलती है ।

ब्लाक 3—

- झ-ञ रेखा ग्राम बकहो में बिन्दु “झ” से आरंभ होती है और प्लॉट संख्या 1300, 1299, 1298, 1289, 1292, 1289, 1296, 1293 की सीमा से होकर, 779 से गुजरती है और बिन्दु “ञ” पर मिलती है ।
- ञ-ट रेखा प्लॉट संख्या 779 से गुजरती है और ग्राम बकहो-बकही के सम्मिलित सीमा में बिन्दु “ट” पर मिलती है ।
- ट-ठ रेखा ग्राम बकहो-बकही के सम्मिलित सीमा से होती हुई जाती है और बिन्दु “ठ” पर मिलती है ।
- ठ-झ रेखा प्लॉट संख्या 1360, 1310 से गुजरकर, 1307, 1302, 1301, 1300 से होकर जाती है और आरम्भिक बिन्दु “झ” पर मिलती है ।

ब्लाक 4—

- ड-ढ रेखा ग्राम बकहो में बिन्दु “ड” से आरंभ होती है और प्लॉट संख्या 109, 107, 106, 202, 126, 198, 133, 136, 177, 176, 175 से होकर, 167, 166 से गुजरकर, 164, 162, 151 से होकर, 152 से गुजरकर, 153, 154, 513, 515, 516, 517, 518, 520, 561, 563, 568 से होकर जाती है और बिन्दु “ढ” पर मिलती है ।

- ढ-ण रेखा ग्राम बकहो में प्लाट संख्या 568, 567, 570, 571, 580, 666, 668, 669, 670, 672, 673, 674 से होकर, ग्राम बकहो के प्लाट संख्या 2, 6, 7, 23, 25, 26, 38, 39, 307, 308, 313, 355, 356, 357, 580, 584, 585, 586, 587, 639, 640, 641, 642, 671, 672, 674, 675, 729, 730, 731, 733, 734, 735, 736, 737, 779, 780, 781, 782 से होकर जाती है और बिन्दु "ण" पर मिलती है।
- ण-त रेखा ग्राम बकहो में प्लाट संख्या 790, 792, 827, 833, 834, 835, 836, 867, 868, 874, 877, 878, 916, 915, 1729, 914, 917, 919, 920, 921, 922, 923, 924, 1061, 1062, 1063, 1065, 1072, 1073, 1074, 1075, 1079, 1080, 1081, 1083 की सीमा से होकर जाती है और बिन्दु "त" पर मिलती है।
- त-थ रेखा प्लाट संख्या 1083 की सीमा से होकर, 1160, 1161, 1150, 1149 से गुजरकर, 1148, 1144, 1141, 1217, 1216, 1220, 1221, 1222, 1230, 1229, 1288, 1289, 1290, 1291, 1310, 1308 से होकर जाती है और बिन्दु "थ" पर मिलती है।
- द-ध रेखा प्लाट संख्या 1308 की सीमा से होकर, 1310, 1291, 1290, 1289, 1288 से गुजरकर, 1229, 1231, 1246, 1247 से होकर, 1253, 1109, 1107 से गुजरकर, 1106, 469, 470, 473, 474, 519, 518, 529, 539, 538, 545, 547, 549, 506, 505 से होकर, 555, 968 से गुजरकर, 1011 से होकर, 1000 से गुजरकर, 999 से होकर, 968 से गुजरती है और बिन्दु "ध" पर मिलती है।
- ध-न रेखा प्लाट संख्या 558, 418, 416, 415, 414, 412, 399 से गुजरकर बिन्दु "न" पर मिलती है।
- न-प रेखा प्लाट संख्या 400, 401 की सीमा से होकर, 405 से गुजरकर, 427, 428, 430, 432 से होकर, 433 से गुजरकर, 438, 436, 443, 445, 447, 446 से होकर, 265 से गुजरकर, 219, 218, 215 से होकर, 213, 206, 205 से गुजरकर, 204, 201, 1360 से होकर, 1359 से गुजरकर, 1358 से होकर, 1356, 1355, 1354, 1353, 1352, 1351, 1350, 1349, 1348, 1347, 1346, 1345, 1344 से गुजरकर, 1341, 1330 व 1329 की पश्चिमी सीमा से होकर, 1350 से गुजरकर, 1379 से होकर, 1429 से गुजरकर, 1425, 1424, 1423 से होकर जाती है और बिन्दु "प" पर मिलती है।
- प-फ रेखा प्लाट संख्या 1423, 1422, 1421, 1420 से गुजरकर, 1720, 1418, 1414, 1415 की सीमा से होकर, 1416, 1412 से गुजरकर, 1409, 1408, 119, 120, 132, 133, 134, 135 से होकर जाती है और बिन्दु "फ" पर मिलती है।
- फ-ब रेखा ग्राम बकहो के प्लाट संख्या 102, 103, 108 की सीमा से होकर, 110, 113, 116, 117, 107, 1412, ग्राम बकहो के प्लाट संख्या 780 से गुजरकर जाती है और बिन्दु "ब" पर मिलती है।
- ब-भ रेखा ग्राम बकहो के प्लाट संख्या 780 से गुजरकर, 768, 769, 770 की दक्षिणी सीमा से होकर, 780, 778 से गुजरकर, 773 की पूर्वी सीमा व 778, 777, 682 की पश्चिमी सीमा से होकर जाती है और बिन्दु "भ" पर मिलती है।
- भ-म रेखा प्लाट संख्या 685, 711, 710, 708, 707, 706, 694, 655, 658, 584, 585, 650, 1401, 580, 589, 588 की सीमा से होकर, 550 से गुजरकर, 551, 552, 539, 538, 537, 525, 524, 502, 501, 500, 170, 171, 186, 185, 184, 187, 193, 215, 214, 213 से होकर जाती है और बिन्दु "म" पर मिलती है।
- म-ड रेखा प्लाट संख्या 213, 242, 241, 246, 100, 107, 104, 103, 109 की सीमा से होकर जाती है और आरम्भिक बिन्दु "ड" पर मिलती है।

[फा. सं. 43015/30/2009 पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

MINISTRY OF COAL

New Delhi, the 19th August, 2010

S.O. 2109. —Whereas, by the notification of the Government of India in the Ministry of Coal number S.O. 450 dated the 3rd February, 2010 issued under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (herein after referred to as the said Act) and published in the Gazette of India, part-II, section 3, sub-section (ii) dated the 13th February, 2010, the Central Government gave notice of its intention to prospect for coal in 580.638 hectares (approximately) or 1434.81 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification;

And, whereas, the Central Government is satisfied that coal is obtainable in a part of the said lands prescribed in the Schedule(s) appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the land measuring 536.551 hectares (approximately) or 1325.81 acres (approximately) as All Rights in or over the said lands described in Schedule appended hereto;

Note 1 : The plan bearing number SECL/BSP/GM(PLG)/LAND/381, dated the 12th April, 2010 of the area covered by this notification may be inspected at the office of the Collector, Shahdol or Collector, Anuppur (Madhya Pradesh) or at the office of the Coal Controller, 1, Council House Street, Kolkata - 700001 or at the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur, 495006 (Chhattisgarh).

Note 2 : Attention is hereby invited to the provisions of section 8 of the said Act which provides as follows :

Objection to Acquisition:

“8(1) Any person interested in any land in respect of which a notification under section 7(1) has been issued, may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or any rights in or over such land.

Explanation,—

- (1) It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operation in the land for the production of coal and that such operation should not be undertaken by the Central Government or by any other person.
- (2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either makes a report in respect of the land which has been notified under sub-section (1) of section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of the Government.
- (3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.”

Note 3 : The Coal Controller, 1, Council House Street, Kolkata- 700001, has been appointed by the Central Government as the competent authority under section 3 of the said Act; vide Notification Number S.O. 905, dated the 20th March, 1987, published in part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 4th April, 1987.

SCHEDULE

**BAKHI BLOCK 2nd EXTENSION, SOHAGPUR AREA
DISTRICT - SHAHDOL AND ANUPPUR (MADHYA PRADESH)**

(Plan numbers SECL/BSP/GM(PLG)/LAND/381, dated the 12th April, 2010)

All Right :

(A) REVENUE LAND :

Sl. No.	Name of village	Bandobast number	Patwari halka number	Tahsil	District	Area in hectares	Remarks
1.	Bakho	630	103	Sohagpur	Shahdol	93.512	Part
2.	Bakhi	629	47	Anuppur	Anuppur	416.118	Part

Total :- 509.630 hectares (approximately) or 1257.29 acres (approximately)

(B) REVENUE FOREST LAND :

Sl. No.	Name of village	Bandobast number	Patwari halka number	Tahsil	District	Area in hectares	Remarks
1.	Bakho	630	103	Sohagpur	Shahdol	25.998	Part
2.	Bakhi	629	47	Anuppur	Anuppur	0.923	Part

Total :- 26.921 hectares (approximately) or 66.52 acres (approximately)

Grand Total (A+B):- 536.551 hectares (approximately) or 1325.81 acres approximately.

1. **Plot numbers to be acquired in village Bakho (Part) :** 100, 101, 103 to 109, 126, 133 to 136, 151, 152P, 153 to 164, 166P, 167P, 168 to 171, 173 to 187, 193 to 215, 241 to 246, 500 to 525, 537 to 539, 550P, 551 to 561, 563 to 568, 570 to 589, 650, 655 to 682, 685 to 694, 706 to 708, 710, 711, 777, 778P, 779P, 780P, 1132P, 1134, 1135P, 1140, 1141, 1142P, 1167P, 1168P, 1169P, 1170 to 1180, 1182, 1185 to 1190, 1191P, 1192 to 1194-1195P, 1199, 1202P, 1220P, 1221P, 1222 to 1224, 1225P, 1226P, 1249P, 1250P, 1251 to 1253, 1289, 1292 to 1309, 1310P, 1360P, 650/1401, 678/1402, 101/1414, 105/1417, 205/1418.
2. **Plot numbers to be acquired in village Bakhi (Part) :** 2 to 106, 107P, 108, 110p, 113P, 114, 115, 116P, 117P, 119 to 201, 204, 205P, 206P, 207 to 212, 213P, 214, 215, 218 to 404, 405P, 412 to 418, 427, 428, 430 to 432, 433P, 434 to 436, 438, 443 to 445, 446, 447, 469, 470P, 473 to 519, 529 to 539, 545, 547 to 549, 555P, 558 to 786, 788 to 790, 792 to 967, 968P, 969 to 999, 1000P, 1001 to 1106, 1107P, 1108, 1109P, 1110 to 1141, 1144 to 1148, 1149P, 1150P, 1151 to 1159, 1160P, 1161P, 1216 to 1222, 1229 to 1245, 1246P, 1247 to 1252, 1253P, 1288P, 1289P, 1290P, 1291P, 1308P, 1310P, 1341, 1344P, 1345P, 1346P, 1347P, 1348P, 1349P, 1350P, 1351P, 1352P, 1353P, 1354P, 1355P, 1356P, 1358P, 1359P, 1360 to 1411, 1412P, 1413, 1414, 1416P, 1418, 1420P, 1421P, 1422P, 1423P, 1424 to 1428, 1429P, 1060/1718, 1414/1720, 1414/1721, 169/1725, 496/1728, 914/1729.

Boundary Description :

Block 1—

- A-B Line starts from point “A” in village Bakho and passes through plot no. 1202, 1169, 1168 and meets at point ‘B’.
- B-C Line passes along boundary of plot no. 1168, through 1167, along ‘1171, 1173, 1132, through 1142, along 1141, 1140, through 1135, along 1134 and meets at point ‘C’.
- C-D Line passes along plot nos. 1134, 1135, through 1132, along 1179, 1180 and meets at point ‘D’.
- D-A Line passes along plot nos. 1180, 1174, 1172, 1170, through 1202 and meets at starting point ‘A’.

Block 2

- E-F Line starts from point “E” in village Bakho and passes through plot no. 1226, 1225, 1221, 1220, 1191, along 1194, through 1195 along 1199 and meets at point ‘F’.
- F-G Line passes along plot nos. 1199, 1194, 1182, 1185 and meets at point “G”.
- G-H Line passes along plot nos. 1185, 1188, 1251, 1253, 1252 and meets at point “H”.
- H-E Line passes along plot no. 1252, through 1250, 1249, along 1225, 1226 and meets at starting point ‘E’.

Block 3

- I-J Line starts from point “I” in village Bakho and passes along plot nos. 1300, 1299, 1298, 1289, 1292, 1289, 1296, 1293, through 779 and meets at point ‘J’.
- J-K Line passes through plot nos. 779 and meets at point “K” on common boundary line of village Bakho-Bakhi.
- K-L Line passes along common boundary line of village Bakho-Bakhi and meets at point “L”.
- L-I Line passes through plot nos. 1360, 1310, along 1307, 1302, 1301, 1300 and meets at starting point ‘I’.

Block 4

- M-N Line starts from point “M” in village Bakho and passes along plot no. 109, 107, 106, 202, 126, 198, 133, 136, 177, 176, 175, through 167, 166, along 164, 162, 151, through 152, along 153, 154, 1513, 1515, 1516, 1517, 1518, 520, 561, 563, 568 and meets at point ‘N’.
- N-O Line passes in village Bakho along plot nos. 568, 567, 570, 571, 580, 666, 668, 669, 670, 672, 673, 674 then in village Bakhi along plot no. 2, 6, 7, 23, 25, 26, 38, 39, 307, 308, 313, 355, 356, 357, 580, 584, 585, 586, 587, 639, 640, 641, 642, 671, 672, 674, 675, 729, 730, 731, 733, 734, 735, 736, 737, 779, 780, 781, 782 and meets at point ‘O’.
- O-P Line passes in village Bakhi along plot nos. 790, 792, 827, 833, 834, 835, 836, 867, 868, 874, 877, 878, 916, 915, 1729, 914, 917, 919, 920, 921, 922, 923, 924, 1061, 1062, 1063, 1065, 1072, 1073, 1074, 1075, 1079, 1080, 1081, 1083 and meets at point ‘P’.

P-Q	Line passes along plot nos. 1083, through 1160, 1161, 1150, 1149, along 1148, 1144, 1141, 1217, 1216, 1220, 1221, 1222, 1230, 1229, 1288, 1289, 1290, 1291, 1310, 1308 and meets at point 'Q'.
Q-R	Line passes along plot nos. 1308, through 1310, 1291, 1290, 1289, 1288, along 1229, 1231, 1246, 1247, through 1253, 1109, 1107, along 1106, 469, 470, 473, 474, 519, 518, 529, 539, 538, 545, 547, 549, 506, 505, through 555, 968, along 1011, "through 1000, along 999, through 968 and meets at point 'R'".
R-S	Line passes through plot no. 558, 418, 416, 415, 414, 412, 399 and meets at point "S".
S-T	Line passes along plot nos. 400, 401, through 405, along 427, 428, 430, 432, through 433, along 438, 436, 443, 445, 447, 446, through 265, along 219, 218, 215, through 213, 206, 205, along 204, 201, 1360, through 1359, along 1358, through 1356, 1355, 1354, 1353, 1352, 1351, 1350, 1349, 1348, 1347, 1346, 1345, 1344, along 1341, western boundary of 1330, 1329, through 1350, along '1379, through 1429, along 1425, 1424, 1423 and meets at point "T", .
T-U	Line passes through plot nos. 1423, 1422, 1421, 1420, along 1720, 1418, 1414, 1415, through 1416, 1412, along 1409, 1408, 119, 120, 132, 133, 134, 135 and meets at point "U".
U-V	Line passes in village Bakhi along plot nos. 102, 103, 108, through 110, 113, 116, 117, 107, 1412, in village Bakho 780 and meets at point "V".
V-W	Line passes in village Bakho through plot nos. 780, along southern boundary of 768, 769, 770, through 780, 778, along eastern boundary of 773, western boundary of 778, 777, 682 and meets at point "W".
W-X	Line passes along plot nos; 685, 711, 710, 708, 707, 706, 694, 655, 658, 584, 585, 650, 1401, 580, 589, 588, through 550, along 551, 552, 539, 538, 537, 525, 524, 502, 501, 500, 170, 171, 186, 185, 184, 187, 193, 215, 214, 213 and meets at point "X".
X-M	Line passes along plot nos. 213, 242, 241, 246, 100, 107, 104, 103, 109 and meets at starting point "M".

[F.No. 43015/30/2009-PRIW-I]

M. SHAHABUDEEN, Under Secy.

आदेश

नई दिल्ली, 19 अगस्त, 2010

का.आ. 2110.—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 9 की उपधारा (1) के अधीन जारी की गई भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.आ. 829 तारीख 19 मार्च, 2010, जो भारत के राजपत्र भाग II, खंड 3, उपखंड (ii), तारीख 27 मार्च, 2010 में प्रकाशित की गई थी, उक्त अधिसूचना से संलग्न अनुसूची में वर्णित भूमि और भूमि में या उस पर के सभी अधिकार (जिसे इसमें इसके पश्चात् उक्त भूमि कहा गया है) उक्त अधिनियम की धारा 10 की उपधारा (1) के अधीन, सभी विल्लंगनों से मुक्त होकर, आत्यंतिक रूप से केन्द्रीय सरकार में निहित हो गए थे ;

और केन्द्रीय सरकार को यह समाधान हो गया है कि साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, सीपत रोड, डाकघर संख्या 60, जिला-बिलासपुर-495 006 (छत्तीसगढ़) (जिसे इसमें इसके पश्चात् उक्त सरकारी कम्पनी कहा गया है) ऐसे निबंधनों और शर्तों का जो केन्द्रीय सरकार इस निमित्त अधिरोपित करना उचित समझे, अनुपालन करने के लिये राजामंद है;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती करती है कि इस प्रकार निहित उक्त 97.850 हेक्टर भूमि और उस पर के सभी अधिकार, तारीख 27 मार्च, 2010 से केन्द्रीय सरकार में इस प्रकार निहित बने रहने के स्थान पर निम्नलिखित निबंधनों और शर्तों के अधीन रहते हुए, उक्त सरकारी कम्पनी में निहित हो जाएंगे, अर्थात् :-

1. उक्त कम्पनी, उक्त अधिनियम के उपबंधों के अधीन यथा अवधारित प्रतिकर, ब्याज नुकसान और वैसी ही मदों की बाबत किए गए सभी संदायों का केन्द्रीय सरकार को प्रतिपूर्ति करेगी ;
2. उक्त कम्पनी द्वारा शर्त (1) के अधीन केन्द्रीय सरकार को संदेय रकमों का अवधारण करने के प्रयोजन के लिये कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 14 के अधीन एक अधिकरण का गठन किया जाएगा तथा ऐसे किसी अधिकरण और अधिकरण की सहायता करने के लिये नियुक्त व्यक्तियों के संबंधों में उपगत सभी व्यय, उक्त कम्पनी द्वारा वहन किये जायेंगे तथा इसी प्रकार निहित उक्त भूमि में या उस पर के अधिकार के लिये या उसके संबंध में जैसे अपील

आदि सभी विधिक कार्यवाहियों की बाबत उपगत, सभी व्यय भी, इसी प्रकार उक्त कम्पनी द्वारा वहन किये जायेंगे ;

3. उक्त कम्पनी, केन्द्रीय सरकार या उसके पदधारियों को, ऐसे किसी अन्य व्यय के संबंध में क्षतिपूर्ति करेगी जो इस प्रकार निहित उक्त में या उस पर के अधिकारों के बारे में, केन्द्रीय सरकार या उसके पदधारियों द्वारा या उनके विरुद्ध किन्हीं कार्यवाहियों के संबंध में आवश्यक हो ;
4. उक्त कम्पनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना, उक्त भूमियों को किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी ; और
5. उक्त कम्पनी, ऐसे निदेशों और शर्तों का पालन करेगी, जो केन्द्रीय सरकार द्वारा, जब कभी आवश्यक हो, उक्त भूमि के विशिष्ट क्षेत्रों के लिये दिए जाएं या अधिरोपित किए जाएं ।

[फा. सं. 43015/30/2008-पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

ORDER

New Delhi, the 19th August, 2010

S.O. 2110.—Whereas on the publication of the notification of the Government of India in the Ministry of Coal number S.O. 829 dated 19th March, 2010 published in the Gazette of India, Part - II, Section - 3, Sub-section (ii) dated the 27th March, 2010 issued under Sub-section (1) of Section 9 of the Coal Bearing Areas (Acquisitions and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the lands as All Rights in or over the land described in the schedule appended to the said notification (hereinafter referred to as the said land) vested absolutely in the Central Government free from all encumbrances under Sub-section (1) of Section 10 of the said Act;

And whereas, the Central Government is satisfied that the South Eastern Coalfields Limited, Seepat Road, P.B. No. 60, District- Bilaspur- 495 006 (Chhattisgarh) (hereinafter referred to as the Government Company) is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf;

Now, therefore, in exercise of the power conferred by Sub-section (1) of Section 11 of the said Act, the Central Government hereby direct that the All Rights of 97.850 hectares land in or over the said lands so vested shall with effect from 27th March, 2010 instead of continuing to so vest in the Central Government shall vest in the Government Company subject to the following terms and conditions namely :

1. The said Company shall reimburse to the Central Government all payments made in respect of compensation, interest, damages and the like as determined under the provisions of the said Act;
2. A Tribunal shall be constituted under Section 14 of the Coal Bearing, Areas (Acquisition and Development) Act, 1957 for the purpose of determining the amounts payable to the Central Government by the said Company under condition (1) and all expenditure incurred in connection with any such tribunal and persons appointed to assist the tribunal shall be borne by the said Company and similarly, all expenditure incurred in respect of all legal proceedings like appeals etc. for or in connection with the rights in or over the said lands so vesting shall also be borne by the said Company;
3. The said Company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the rights in or over the said lands so vesting;
4. The said Company shall have no power to transfer the said lands to any other persons without the prior approval of the Central Government; and
5. The said Company shall abide by such direction and conditions as may be given or imposed by the Central Government for particular areas of the said lands as and when necessary.

[F. No. 43015/30/2008-PRIW-I]

M. SHAHABUDEEN, Under Secy.

आदेश

नई दिल्ली, 19 अगस्त, 2010

का.आ. 2111.—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 9 की उपधारा (1) के अधीन जारी की गई भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.आ. 452 तारीख 3 फरवरी, 2010, जो भारत के राजपत्र भाग II, खंड 3, उपखंड (ii), तारीख 27 मार्च, 2010 में प्रकाशित की गई थी, उक्त अधिसूचना से संलग्न अनुसूची में वर्णित भूमि और भूमि में या उस पर के सभी अधिकार (जिसे इसमें इसके पश्चात् उक्त भूमि कहा गया है) उक्त अधिनियम की धारा 10 की उपधारा (1) के अधीन, सभी विल्लंगनों से मुक्त होकर, आत्यंतिक रूप से केन्द्रीय सरकार में निहित हो गए थे ;

और केन्द्रीय सरकार का यह समाधान हो गया है कि साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, सीपत रोड, डाकघर संख्या 60, जिला-बिलासपुर-495 006 (छत्तीसगढ़) (जिसे इसमें इसके पश्चात् उक्त सरकारी कम्पनी कहा गया है) ऐसे निबंधनों और शर्तों का जो केन्द्रीय सरकार इस निमित्त अधिरोपित करना उचित समझे, अनुपालन करने के लिये रजामंद है;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश करती है कि इस प्रकार निहित उक्त 11.371 हेक्टर भूमि और उस पर के सभी अधिकार, तारीख 13 फरवरी, 2010 से केन्द्रीय सरकार में इस प्रकार निहित बने रहने के स्थान पर निम्नलिखित निबंधनों और शर्तों के अधीन रहते हुए, उक्त सरकारी कम्पनी में निहित हो जाएंगे, अर्थात् :-

1. उक्त कम्पनी, उक्त अधिनियम के उपबंधों के अधीन यथा अवधारित प्रतिकर, ब्याज नुकसान और वैसी ही मदों की बाबत किए गए सभी सदायों का केन्द्रीय सरकार प्रतिपूर्ति करेगी ;
2. उक्त कम्पनी द्वारा शर्त (1) के अधीन केन्द्रीय सरकार को संदेय रकमों का अवधारण करने के प्रयोजन के लिये कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 14 के अधीन एक अधिकरण का गठन किया जाएगा तथा ऐसे किसी अधिकरण और अधिकरण की सहायता करने के लिये नियुक्त व्यक्तियों के संबंधों में उपगत सभी व्यय, उक्त कम्पनी द्वारा वहन किये जायेंगे तथा इसी प्रकार निहित उक्त भूमि में या उस पर के अधिकार के लिये या उसके संबंध में जैसे अपील आदि सभी विधिक कार्यवाहियों की बाबत उपगत, सभी व्यय भी, इसी प्रकार उक्त कम्पनी द्वारा वहन किये जायेंगे ;
3. उक्त कम्पनी, केन्द्रीय सरकार या उसके पदधारियों को, ऐसे किसी अन्य व्यय के संबंध में क्षतिपूर्ति करेगी जो इस प्रकार निहित उक्त में या उस पर के अधिकारों के बारे में, केन्द्रीय सरकार या उसके पदधारियों द्वारा या उनके विरुद्ध कितनी कार्यवाहियों के संबंध में आवश्यक हो;
4. उक्त कम्पनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना, उक्त भूमियों को किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी; और
5. उक्त कम्पनी, ऐसे निदेशों और शर्तों का पालन करेगी, जो केन्द्रीय सरकार द्वारा, जब कभी आवश्यक हो, उक्त भूमि के विशिष्ट क्षेत्रों के लिये दिए जाएं या अधिरोपित किए जाएं ।

[फा. सं. 43015/10/2007 पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

ORDER

New Delhi, the 19th August, 2010

S.O. 2111.—Whereas on the publication of the notification of the Government of India in the Ministry of Coal number S.O. 452 dated 3rd February, 2010 published in the Gazette of India, Part - II, Section - 3, Sub-section (ii) dated the 13th February, 2010 issued under sub-section (1) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the lands as All Rights in or over the land described in the Schedule appended to the said notification (hereinafter referred to as the said land) vested absolutely in the Central Government free from all encumbrances under sub-section (1) of Section 10 of the said Act;

And whereas, the Central Government is satisfied that the South Eastern Coalfields Limited, Seepat Road, P.B. No. 60, District- Bilaspur- 495 006 (Chhattisgarh) (hereinafter referred to as the Government Company) is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 11 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 the Central Government hereby direct that the All Rights of 11.371 hectares in or over the said lands so vested shall with effect from 13th February, 2010 instead of continuing to so vest in the Central Government shall vest in the Government Company subject to the following terms and conditions namely :—

1. The said Company shall reimburse to the Central Government all payments made in respect of compensation, interest, damages and the like as determined under the provisions of the said Act;
2. A Tribunal shall be constituted under Section 14 of Coal Bearing Areas (Acquisition and Development) Act, 1957 for the purpose of determining the amounts payable to the Central Government by the said Company under condition (1) and all expenditure incurred in connection with any such tribunal and persons appointed to assist the tribunal shall be borne by the said Company and similarly, all expenditure incurred in respect of all legal proceedings like appeals etc. for or in connection with the rights in or over the said lands so vesting shall also be borne by the said Company;
3. The said Company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the rights in or over the said lands so vests;
4. The said Company shall have no power to transfer the said lands to any other persons without the prior approval of the Central Government; and
5. The said Company shall abide by such direction and conditions as may be given or imposed by the Central Government for particular areas of the said lands as and when necessary.

[F. No. 43015/10/2007-PRIW-I]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 20 अगस्त, 2010

का.आ. 2112.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित परिक्षेत्र की भूमि में से कोयला अभिप्राप्त किए जाने की संभावना है;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसमें इसका पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अंतर्गत आने वाले रेखांक सं. सी-1(ई)/III/जेजेएसआर/812—0210, तारीख 1 फरवरी, 2010 का निरीक्षण, वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व विभाग), कोल इस्टेट, सिविल लाइन्स, नागपुर-440001 (महाराष्ट्र) के कार्यालय में या मुख्य महाप्रबंधक (खोज प्रभाग), केन्द्रीय खान योजना और डिजाइन संस्थान, गोंडवाना पैलेस, कांके रोड, रांची के कार्यालय में या कोयला नियंत्रक, 1, कार्डसिल हाउस स्ट्रीट, कोलकाता के कार्यालय में या जिला कलेक्टर, नागपुर (महाराष्ट्र) के कार्यालय में किया जा सकता है।

इस अधिसूचना के अंतर्गत आने वाली भूमि में, हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर, मुख्य महाप्रबंधक, वेस्टर्न कोलफील्ड्स लिमिटेड, बल्लारपुर क्षेत्र, डाक सास्ती, तहसील राजूरा, जिला चन्द्रपुर (महाराष्ट्र) या महाप्रबंधक वेस्टर्न कोलफील्ड्स लिमिटेड, भूमि और राजस्व विभाग, कोल इस्टेट, सिविल लाइन्स, नागपुर-440001 (महाराष्ट्र) को भेजेंगे।

अनुसूची

चिंचोली ओपनकास्ट (रिकास्ट) परियोजना

बल्लारपुर क्षेत्र

जिला चन्द्रपुर (महाराष्ट्र)

(रेखांक संख्या: सी-1(ई)/III/जेजेएसआर/812-0210, तारीख 1 फरवरी, 2010)

क्रम सं.	ग्राम का नाम	पटवारी सिकिल संख्या	तहसील	जिला	क्षेत्र (हेक्टर में)	टिप्पणियां
1.	सुबई	3	राजूरा	चंद्रपुर	184.84	भाग

कुल क्षेत्र : 184.84 हेक्टर (लगभग)

या 456.75 एकड़ (लगभग)

सीमा वर्णन :-

- क-ख रेखा बिन्दु “क” से आरंभ होती है और ग्राम सुबई से होते हुए जाती है और वन सीमा पर बिन्दु “ख” पर मिलती है ।
- ख-ग रेखा, वन सीमा के साथ जाती है और बिन्दु “ग” पर मिलती है ।
- ग-घ रेखा, ग्राम सुबई से होते हुए जाती है और वन और सुबई ग्राम की सम्मिलित सीमा पर बिन्दु “घ” पर मिलती है ।
- घ-ङ रेखा, वन और ग्राम सुबई की सम्मिलित सीमा से लेकर जाती है और बिन्दु “ङ” पर मिलती है ।
- ङ-क रेखा, ग्राम सुबई से होकर जाती है और आरंभिक बिन्दु “क” पर मिलती है ।

[फा. सं. 43015/14/2010-पीआरआईडब्ल्यू- I]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, 20th August, 2010

S. O. 2112.—Whereas, it appears to the Central Government that Coal is likely to be obtained from the lands in the locality mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan bearing number C-I(E)III/JJSR/812—0210, dated the 1st February, 2010 of the area covered by this notification can be inspected at the Office of the Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur-440 001 (Maharashtra) or at the Office of the Chief General Manager (Exploration Division), Central Mine Planning and Design Institute, Gondwana Palace, Kanke Road, Ranchi or at the Office of the Coal Controller, I, Council House Street, Kolkata or at the Office of the District Collector, Nagpur (Maharashtra).

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in Sub-section (7) of Section 13 of the said Act to the Office of the Chief General Manager, Western Coalfields Limited, Ballarpur Area, Post Sasti, Tahsil Rajura, District Chandrapur (Maharashtra) or General Manager, Western Coalfields Limited, Land and Revenue Department, Coal Estate, Civil Lines, Nagpur-440 001 (Maharashtra) within ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE

**CHINCHOLI OPENCAST (RECAST) PROJECT
BALLARPUR AREA
DISTRICT-CHANDRAPUR (MAHARASHTRA)**

(Plan being number: C- I(E)III/JJSR/812 - 0210, dated 1st February, 2010)

Sl. No.	Name of Village	Patwari Circle Number	Tahsil	District	Area (in hectares)	Remarks
1	Subai	3	Rajura	Chandrapur	184.84	Part

Total area : 184.84 hectares (approximately)**or 456.75 acres (approximately)****Boundary description :**

‘A’-‘B’ : Line starts from Point ‘A’ and passes through village Subai and meets at Point ‘B’ on forest boundary.

‘B’-‘C’ : Line passes along the forest boundary and meets at Point ‘C’.

‘C’-‘D’ : Line passes through village Subai and meets at Point ‘D’ on common boundary of forest and village Subai.

'D'-'E': Line passes along the common boundary of forest and village Subai and meets at Point 'E'.

'E'-'A': Line passes through village Subai and meets at starting Point 'A'.

[F. No. 43015 14/2010-PRIW-I]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 24 अगस्त, 2010

का.आ. 2113.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसमें इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) के अधीन भारत सरकार ने कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्या का. आ. 366 तारीख 4 फरवरी, 2009, जो भारत के राजपत्र के भाग-II, खंड 3, उप-खंड (ii), तारीख 14 फरवरी, 2009 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 149.204 हेक्टर (लगभग) या 368.68 एकड़ (लगभग) है, कोयले का पूर्वेक्षण करने के अपने आशय की सूचना दी थी;

और केन्द्रीय सरकार का यह समाधान हो गया है कि इस अधिसूचना में संलग्न अनुसूची में विहित की गई उक्त भूमि के भाग में कोयला अभिप्राप्त करना है ;

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे संलग्न अनुसूची में वर्णित 148.581 हेक्टर (लगभग) या 367.14 एकड़ (लगभग) माप की उक्त भूमि का अर्जन करने के अपने आशय की सूचना देती है;

टिप्पण 1 : इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक सं. एसईसीएल/बीएसपी/जीएम(पीएलजी)/लैंड/371 तारीख 5 जनवरी, 2010 का निरीक्षण कलेक्टर, जिला-उमरिया (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता-700001 के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, (राजस्व अनुभाग) सीपत रोड, बिलासपुर-495006 (छत्तीसगढ़) के कार्यालय में किया जा सकता है।

टिप्पण 2 : उक्त अधिनियम की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध हैं :

अर्जन के बाबत आपत्तियां :

"8(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

स्पष्टीकरण :

- (1) इस धारा के अन्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सक्रियाएं करना चाहता है और ऐसी सक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।
- (2) उपधारा (1) के अधीन प्रत्येक आपत्ति सक्षम अधिकारी को लिखित रूप में की जाएगी और सक्षम अधिकारी, आपत्तिकर्ता को स्वयं सुने जाने, विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जाँच, यदि कोई हो, करने के पश्चात्, जो वह आवश्यक समझता है, वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़े ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।
- (3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होगा, यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिये जाते हैं।"

टिप्पण 3 : केन्द्रीय सरकार ने कोयला नियंत्रक, 1 काउंसिल हाउस स्ट्रीट, कोलकाता-700001 को उक्त अधिनियम की धारा 3 के अधीन जो भारत के राजपत्र भाग II, खंड 3, उपखंड (ii), तारीख 4 अप्रैल, 1987 में प्रकाशित अधिसूचना सं. का.आ. 905, तारीख 20 मार्च, 1987 द्वारा सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

पिनौरा डेपिलरिंग ब्लाक, जोहिला क्षेत्र

जिला-उमरिया (मध्य प्रदेश)

(रेखांक सं. एसईसीएल/बीएसपी/जीएम(पीएलजी)/भूमि/371 तारीख 5 जनवरी, 2010)

भू-सतह अधिकार :

क्र. स.	ग्राम का नाम	पटवारी हल्का संख्या	जनरल संख्या	तहसील	जिला	क्षेत्रफल हेक्टर में	टिप्पणी
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	देवरी अमहाई	99	334	बांधौगढ़	उमरिया	63.122	भाग
2.	पिनौरा	99	413	बांधौगढ़	उमरिया	79.494	भाग
3.	पिपरारी	99	414	बांधौगढ़	उमरिया	5.965	भाग

कुल क्षेत्र : 148.581 हेक्टर (लगभग) या 367.14 एकड़ (लगभग)

ग्राम देवरी अमहाई (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :

38 से 47, 48(भाग), 50(भाग), 51, 52(भाग), 53(भाग), 53/321(भाग), 53/322, 54, 55(भाग), 57(भाग), 58, 59(भाग), 59/326(भाग), 60, 60/325, 61(भाग), 62(भाग), 63(भाग), 65(भाग), 66 से 86, 87(भाग), 88(भाग), 89 से 103, 104(भाग), 105(भाग), 106(भाग), 107(भाग), 108(भाग), 109(भाग), 110(भाग), 111(भाग), 131(भाग), 132(भाग), 139(भाग), 140(भाग), 141, 142, 143(भाग), 144, 145(भाग), 146, 147(भाग).

ग्राम पिनौरा (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :

339(भाग), 340(भाग), 341, 345(भाग), 413(भाग), 481(भाग), 482(भाग), 483 से 492, 493(भाग), 494, 495(भाग), 496(भाग), 497 से 508, 509(भाग), 510(भाग), 511(भाग), 513(भाग), 514 से 531, 532(भाग), 537/672(भाग), 538(भाग), 540(भाग), 541 से 546, 547(भाग), 548, 549(भाग), 550(भाग), 553(भाग), 554, 555, 556, 557(भाग), 564(भाग), 565(भाग), 566 से 570, 571(भाग), 574(भाग), 575, 576, 577(भाग), 609(भाग).

ग्राम पिपरारी (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :

81(भाग), 82(भाग), 83 से 86, 87(भाग), 88 से 91, 92(भाग), 93(भाग).

सीमा वर्णन :-

- क-ख रेखा ग्राम देवरी अमहाई में बिन्दु "क" से आरंभ होती है और ग्राम देवरी अमहाई के प्लॉट संख्या 145, 65, 63, 62, 61, 59/326, 59, 57, 55, 53/321, 53, 52 से गुजरती है और उसी ग्राम के बिन्दु "ख" पर मिलती है ।
- ख-ग रेखा ग्राम देवरी अमहाई के प्लॉट संख्या 50, 48 फिर 46, 38, 39 के उत्तरी सीमा से गुजरती है, उसके पश्चात् ग्राम पिनौरा में प्रवेश कर प्लॉट संख्या 339, 340 से होकर 341 के उत्तरी सीमा से होती हुई ग्राम देवरी अमहाई में प्रवेश करती है और प्लॉट संख्या 97 के उत्तरी सीमा से जाती है और ग्राम देवरी अमहाई-पिनौरा की सम्मिलित सीमा पर बिन्दु "ग" पर मिलती है ।
- ग-घ रेखा ग्राम पिनौरा के प्लॉट संख्या 547, 540, 538, 532, 513, 511, 510, 509, 413, 482, 481 से होकर ग्राम पिपरारी में प्रवेश कर प्लॉट संख्या 82, 81 से गुजरती है और प्लॉट संख्या 92 की उत्तरी सीमा के साथ जाती हुई बिन्दु "घ" पर मिलती है ।
- घ-ङ रेखा ग्राम पिपरारी के प्लॉट संख्या 92, 87, 93 से होकर प्लॉट संख्या 93, 91 की पूर्वी सीमा के साथ जाती हुई और ग्राम पिपरारी-पिनौरा के भागतः दक्षिणी सीमा से होती हुई बिन्दु "ङ" पर मिलती है ।
- ङ-च-छ-ज-झ-ञ रेखा ग्राम पिनौरा के प्लॉट संख्या 565, बिन्दु 'च', 576, 571/2, 571/4, बिन्दु 'छ' 571/5, 571/1, बिन्दु 'ज', 574, बिन्दु 'झ' तथा प्लॉट संख्या 575 के भागतः सम्मिलित सीमा के साथ और प्लॉट संख्या 609 से गुजरती है और बिन्दु "ञ" पर मिलती है ।
- ञ-ट-ठ रेखा ग्राम पिनौरा के प्लॉट संख्या 609, बिन्दु 'ट' से गुजरती हुई प्लॉट संख्या 577 के पश्चिमी सीमा के साथ जाती है और प्लॉट संख्या 564, 565 से गुजरती हुई बिन्दु "ठ" पर मिलती है ।

ठ-क रेखा ग्राम पिनौरा के प्लाट संख्या 565, 493, 495, 496 से होती हुई प्लाट संख्या 497 के भागतः दक्षिणी सीमा के साथ जाती हुई और प्लाट संख्या 557, 553, 550, 549, 547 से गुजरती है फिर ग्राम देवरी अमहाई में प्रवेश कर प्लाट संख्या 111, 110, 109, 108, 107, 104, 106, 105, 88, 131, 132, 87, 140, 143, 139, 147, 145 से होती हुई जाती है और आरंभिक बिन्दु "क" पर मिलती है।

[फा. सं. 43015/31/2008-पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

New Delhi the 24th August. 2010

S.O. 2113.—Whereas, by the notification of the Government of India in the Ministry of Coal, number S.O. 366 dated 4th February, 2009 issued under sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part-II, Section 3, Sub-section (ii) dated 14th February, 2009, the Central Government gave notice of its intention to prospect for coal in 149.204 hectares (approximately) or 368.68 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification;

And whereas the Central Government is satisfied that coal is obtainable in a part of the said lands prescribed in the Schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the land measuring 148.581 hectares (approximately) or 367.14 acres (approximately) as All Rights in or over the said lands described in the Schedule appended hereto:

Note 1. The plan bearing Number SECL/BSP/GM(PLG/LAND/ 371 dated the 5th January, 2010 of the area covered by this notification may be inspected in the office of the Collector, Umaria (Madhya Pradesh) or in the office of the Coal Controller, I, Council House Street, Kolkata - 700001 or in the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur, 495006 (Chhattisgarh).

Note 2. Attention is hereby invited to the provisions of Section 8 of the said Act which provides as follows: Objection to Acquisition.

Objection to Acquisition:

"8(1) Any person interested in any land in respect of which a notification under section 7 has been issued, may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or any rights in or over such land.

Explanation. —

- (1) It shall not be an objection within the meaning of this Section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operation should not be undertaken by the Central Government or by any other person.
- (2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either makes a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of the Government.
- (3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act."

Note 3 : The Coal Controller, I, Council House Street, Kolkata- 700001, has been appointed by the Central Government as the competent authority under Section 3 of the said Act; vide notification number S.O. 905, dated the 20th March, 1987, published in part II, Section 3, sub-section (ii) of the Gazette of India, dated the 4th April, 1987.

SCHEDULE**Pinoura Depillaring Block, Johilla Area****Distt-Umaria (Madhya Pradesh)**

(Plan number SECL/BSP/GM(PLG)/LAND/ 371 dated the 5th January, 2010)

Surface Rights :

Name of village	Patwari halka number	General number	Tahsil	District	Area in hectares	Remarks
Deori Amhai	99	334	Bandhogarh	Umaria	63.122	Part
Pinoura	99	413	Bandhogarh	Umaria	79.494	Part
Piprari	99	414	Bandhogarh	Umaria	5.965	Part

Total :—148.581 Hectares (Approximately) or 367.14 Acres. (Approximately).**1. Plot numbers to be acquired in village Deori Amhai (Part):**

38 to 47, 48(P), 50(P), 51, 52(P), 53(P), 53/321 (P), 53/322, 54, 55(P), 57(P), 58, 59(P), 59/326(P), 60, 60/325, 61(P), 62(P), 63(P), 65(P), 66 to 86, 87(P), 88(P), 89 to 103, 104(P), 105(P), 106(P), 107 (P), 108(P), 109(P), 110(P), 111 (P), 131 (P), 132(P), 139(P), 140(P), 141, 142, 143(P), 144, 145(P), 146, 147(P).

2. Plot numbers to be acquired in village Pinoura (Part):

339(P), 340(P), 341, 345(P), 413(P), 481 (P), 482(P), 483 to 492, 493(P), 494, 495(P), 496(P), 497 to 508, 509(P), 510(P), 511 (P), 513(P), 514 to 531, 532(P), 537/672(P), 538(P), 540(P), 541 to 546, 547(P), 548, 549(P), 550(P), 553(P), 554, 555, 556, 557(P), 564(P), 565(P), 566 to 570, 571 (P), 574(P), 575, 576, 577(P), 609(P).

3. Plot numbers to be acquired in village Piprari (Part) :

81 (P), 82(P), 83 to 86, 87(P), 88 to 91, 92(P), 93(P).

Boundary Description :

A-B	Line starts from point 'A' in village Deori Amhai and passes through plot numbers 145, 65, 63, 62, 61, 59/326, 59, 57, 55, 53/321, 53, 52, and meets at point 'B' in the same village.
B-C	Line passes in village Deori Amhai through plot numbers 50, 48 then along northern boundary of plot numbers 46, 38, 39, after that enter in village Pinoura and passes through plot number 339, 340 then along northern boundary of plot number 341 after that enter in village Deori Amhai and passes along northern boundary of plot number 97 and meets at point 'C' on the common boundary of villages Deori Amhai Pinoura.
C-D	Line passes in village Pinoura through plot numbers 547, 540, 538, 532, 513, 511, 510, 509, 413, 482, 481 then enter in village Piprari and passes through plot numbers 82, 81 and along northern boundary of plot number 92 and meets at point 'D'.
D-E	Line passes in village Piprari through plot numbers 92, 87, 93 then along eastern boundary of plot number 93, 91 and partly common boundary of villages Piprari —Pinoura and meets at point 'E' on the same common boundary .
E-F-G-H-I-J	Line passes in village Pinoura through plot number 565, point 'F', 576, 571/2, 571/4, point 'G', 571/5, 571-1, point 'H', 574, point 'I', along partly southern boundary of plot number 575, through 609 and meets at point 'J'.
J-K-L	Line passes in village Pinoura through plot number 609, point 'K', along western boundary of plot number 577, through plot numbers 564, 565 and meets at point 'L'.
L-A	Line passes in village Pinoura through plot numbers 565, 493, 495, 496, along partly southern boundary of plot number 497, through plot numbers 557, 553, 550, 549, 547 then enter in village Deori Amhai and passes through plot numbers 111, 110, 109, 108, 107, 104, 106, 105, 88, 131, 132, 87, 140, 143, 139, 147, 145 and meets at starting point 'A'.

[F. No. 43015/31/2008-PRIW-I]

M. SHAHABUDEEN, Under Secy.

पैट्रोलियम और प्राकृतिक गैस मंत्रालय

२११५

नई दिल्ली, 15 जून, 2010

का. आ. 2114.—भारत सरकार ने पैट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पैट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 1714, तारीख 17 जून, 2009 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, देश के विभिन्न हिस्सों में स्थित उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा विजयवाड़ा-नेल्लोर-चेन्नई गैस पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के लिए अपने आशय की घोषणा की थी;

और, उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 23 मार्च, 2010 को अथवा उससे पूर्व उपलब्ध करा दी गई थीं;

और, पाइपलाइन बिछाने के संबंध में जनता की ओर से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और अननुज्ञात कर दिया गया;

और, सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है;

और, भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन का विनिश्चय किया है;

अतः, अब, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से भारत सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, में निहित होगा

अनुसूची

मंडल/ तेहसिल/ तालुक : ताल्लाम्बु	जिला : पूर्व गोदावरी	राज्य : आन्ध्र प्रदेश		
गाँव का नाम	सर्वे सं. / सब डिविजन सं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि एयर
1	2	3	4	5
1) पोलेकुरु	16	00	08	66
	गट नंबर 16 में तलाव	00	08	92
	23	00	15	11
	25	00	07	98
	39	00	41	90
	41	00	44	09
	42	00	04	91
	48	00	38	95
	55	00	52	53
	76	00	27	87
	121	00	04	30
	142	00	36	55
	143	00	30	36
	15/1	00	01	28
	15/2	00	19	31
	15/3	00	08	67
	15/5	00	01	54
	15/6	00	08	16
	18/1	00	35	63
	18/2	00	20	25
	20/1	00	05	46
	20/2	00	01	62
	20/9	00	10	26
	21/5	00	02	91
	21/6	00	01	82
	22/1	00	09	46
	22/2	00	09	28
	22/3	00	09	40
	22/4	00	03	66
	22/5	00	09	20
	56/1	00	37	16
	56/3	00	03	28
	112/1	00	18	32
	112/2	00	16	80
	112/3	00	02	63
	112/4	00	31	40
	137/1ए	00	03	77

1	2	3	4	5
1) पालिकु (निग्नर)	137/1वी	00	06	72
	137/2वी	00	28	47
	141/3	00	00	15
	141/4	00	03	52
	141/5	00	05	36
	141/6	00	08	49
	141/7	00	10	40
	146/1	00	01	74
	147/1	00	05	42
	147/2	00	29	24

मंडल/ तेहसिल/ तालुक : काजुलूरु	जिला : पूर्वी गोदावरी	राज्य : आन्ध्र प्रदेश
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1) पल्लिपालेम	गट नंबर 176 में नाला	00	09	36
	180	00	01	98
	197	00	00	30
	210	00	30	26
	230	00	19	49
	231	00	33	36
	235	00	03	07
	243	00	05	19
	463	00	07	07
	493	00	05	50
	496	00	00	73
	170/4सी	00	00	10
	170/4वी	00	01	18
	174/1	00	21	42
	174/2	00	09	23
	175/1	00	00	15
	175/2	00	08	73
	175/3	00	06	87
	175/4ए	00	00	36
	176/1	00	03	54
	176/2	00	01	54
	179/3	00	05	60
	208/4	00	11	61
	208/3	00	04	73
	209/2ए	00	09	26
	209/1वी	00	03	48
	209/2वी	00	21	48
	212/1	00	00	46
	213/1	00	21	12
	213/2	00	16	10
	214/1	00	25	94
	214/2	00	22	10

1	2	3	4	5
1) पल्लिपालेम (निम्नतर)	2 24/2	00	15	04
	2 24/3	00	10	17
	2 24/1	00	11	26
	2 25/1ए	00	08	77
	2 25/1बी	00	02	81
	2 25/2ए	00	12	59
	2 32/3	00	26	53
	2 42/1	00	00	10
	2 44/1	00	00	14
	2 44/2	00	03	65
	2 44/3	00	10	70
	4 60/2	00	03	63
	4 61/1	00	17	15
	4 62/3ए	00	07	88
	4 62/3बी	00	11	29
	4 62/3सी	00	03	10
	4 62/2	00	01	81
	4 66/1ए	00	11	11
	4 80/1	00	43	70
	4 81/1	00	02	26
	4 81/2	00	13	20
	4 86/1	00	12	47
	4 88/6	00	00	85
	4 88/7	00	01	15
	4 88/8	00	05	37
	4 88/9	00	03	99
	4 88/10	00	09	00
	4 88/4ए	00	01	53
	4 88/4बी	00	07	95
	4 88/4सी	00	08	48
	4 92/8	00	11	96
	4 92/7	00	01	45
	4 92/9	00	00	10
	4 92/10	00	16	36
	4 92/11	00	07	30
2) कोलंका	95	00	24	81
	119	00	30	06
	126	00	05	13
	199	00	49	05
	200	00	33	44
	268	00	29	09
	276	00	46	89

1	2	3	4	5
2) कोलका (निरंतर)	286	00	03	17
	93/1	00	05	70
	93/2	00	10	85
	93/3ए	00	08	79
	93/4	00	15	57
	93/5	00	00	10
	94/1	00	08	23
	111/1	00	02	65
	111/2	00	04	21
	111/3	00	12	44
	112/1	00	11	89
	112/2ए	00	11	40
	112/2बी	00	11	02
	112/2सी	00	00	10
	117/1ए	00	25	97
	117/1बी	00	06	49
	117/2	00	02	33
	117/3	00	09	02
	118/1	00	10	29
	118/2	00	15	20
	124/1	00	09	49
	124/2	00	00	82
	124/3	00	11	22
	124/4	00	16	03
	125/3	00	03	96
	125/4	00	14	50
	127/1	00	33	55
	127/2	00	00	10
	131/1	00	06	98
	201/1	00	02	36
	246/2ए	00	00	10
	246/2बी	00	03	28
	246/2सी	00	15	79
	246/2डी	00	03	02
	250/1	00	12	97
	250/2ए	00	07	42
	250/2बी	00	09	81
	250/2सी	00	08	27
	250/3	00	04	64
	250/5	00	18	06
	251/5	00	01	08
	251/10	00	03	43

1	2	3	4	5
2) कोलका (निरंतर)	251/14	00	01	22
	251/15	00	01	29
	251/16	00	03	11
	251/17	00	00	30
	251/18	00	04	29
	253/3ए	00	08	18
	253/3बी	00	17	50
	254/4	00	24	77
	269/1	00	05	08
	270/2	00	21	54
	274/1बी	00	00	13
	274/1सी	00	06	50
	274/2	00	02	82
	274/3	00	04	67
	274/4सी	00	13	42
	277/1ए	00	00	10
	278/1	00	17	62
	278/2	00	02	18
	278/3	00	30	15
3) कुय्यूरु	गट नंबर 304 में नाला	00	29	02
	367	00	34	19
	391	00	37	31
	303/1	00	50	52
	303/2	00	21	59
	309/1	00	21	57
	309/3	00	39	84
	310/1	00	44	93
	311/1	00	34	06
	311/2	00	14	44
	315/1	00	16	51
	315/2	00	18	48
	315/3	00	10	35
	315/6	00	02	86
	316/1	00	01	01
	316/2	00	03	88
	316/3	00	02	40
	316/4	00	06	15
	316/8	00	01	73
	316/9	00	03	00
	316/10	00	02	38
	316/11	00	01	35
	316/12	00	02	18

1	2	3	4	5
3) कुथ्यम् (निम्न)	316/13	00	02	99
	316/14	00	03	11
	316/15	00	03	10
	316/16	00	03	00
	316/17	00	00	10
	318/8	00	00	19
	323/4	00	05	04
	323/5	00	02	54
	323/6	00	02	73
	324/8	00	03	18
	324/9	00	03	21
	325/6	00	12	09
	325/10	00	03	56
	326/1	00	07	65
	326/5	00	16	36
	326/9	00	05	72
	331/1	00	02	71
	331/2	00	01	94
	331/4	00	10	45
	331/6	00	00	10
	332/1	00	10	30
	332/2	00	13	84
	332/4	00	13	52
	332/5	00	05	74
	359/9	00	00	83
	359/10	00	01	51
	359/11	00	06	64
	360/5	00	00	15
	360/6	00	00	15
	360/7	00	00	15
	360/8	00	00	15
	363/1	00	13	50
	363/4	00	18	48
	363/5	00	05	61
	363/6	00	03	42
	363/7	00	00	10
	364/2	00	07	18
	364/3	00	00	10
	364/4	00	20	30
	364/6	00	02	12
	364/7	00	13	29
	366/1	00	20	91

1	2	3	4	5
3) कुय्यरु (निग्नर)	366/2	00	01	33
	368/1	00	06	34
	368/3	00	00	38
	369/1	00	18	44
	369/10	00	20	52
	370/1	00	00	71
	371/2	00	00	32
	372/2	00	10	36
	372/3	00	06	00
	372/4	00	09	06
	372/7	00	00	23
	372/8	00	10	01
	374/2	00	06	84
	374/3	00	08	38
	374/4	00	06	72
	374/5	00	08	02
	374/6	00	00	94
	375/1	00	04	48
	375/2	00	05	50
	375/4	00	02	68
	390/1	00	13	18

मंडल/ नेहमिल/ तालुक : पामारु	जिला : पूर्वी गोदावरी	राज्य : आन्ध्र प्रदेश		
1) बालान्तगम	64/5/बी	00	11	71
	65/1	00	03	83
	65/2	00	08	55
	65/3/ए	00	04	18
	65/3/बी	00	16	40
	65/3/सी	00	16	52
	76/1/ए	00	20	63
	77	00	30	57
	80	00	04	82
	159/1/ए	00	09	13
	159/1/बी	00	19	11
	160/1	00	10	62
	160/2	00	11	43
	169/1	00	01	85
	169/2	00	02	19
	169/3	00	23	11
	169/4	00	10	31
	169/7/ए	00	09	27
	169/7/बी	00	04	56
	178/3	00	07	85
	178/4	00	06	26

1	2	3	4	5
1) बालान्तरम् (निम्न)	179/7/ए	00	04	93
	179/7/बि	00	12	48
	179/8	00	02	16
	180/4	00	03	19
	180/5	00	10	03
	180/6	00	04	69
	180/7	00	03	47
	180/8/बि	00	08	38
	182/2/ए	00	08	72
	182/2/बि	00	08	00
	182/2/बि	00	00	90
	182/3	00	03	96
	182/4	00	08	31
	182/7	00	04	54
	182/8	00	10	66
	81/2ए	00	17	41
	81/2बि	00	11	14
	168/1	00	06	87
	168/2बि	00	04	53
	168/3बि	00	00	32
	168/3बि	00	04	51
	168/4	00	07	31
	168/5	00	13	18
	168/7	00	04	04
2) गुडिगल्ला	30	00	09	87
	22/2	00	02	82
	23/14	00	34	06
	24/5	00	06	27
	24/6	00	10	56
	24/7	00	09	24
	25/1	00	08	15
	25/3	00	01	59
	25/4	00	00	18
	26/1	00	15	70
	26/2	00	07	66
	26/6	00	00	88
	31/1	00	04	03
	31/4	00	08	46
3) एरापोतावरम्	88	00	03	53
	89	00	02	29
	90	00	10	29
	154	00	09	79

1	2	3	4	5
3) एगपोनाधम्म (निगंत)	86/4ए	00	08	00
	86/4वी	00	06	58
	86/5	00	07	01
	87/1	00	02	11
	87/5	00	03	07
	87/6	00	02	64
	87/8	00	00	22
	91/1	00	05	45
	91/3	00	23	60
	92/1	00	04	93
	145/1	00	02	12
	145/2ए	00	00	84
	145/2वी	00	33	66
	147/1ए	00	16	90
	147/2	00	24	13
	149/1ए	00	01	64
	149/1वी	00	15	79
	149/2	00	16	96
	149/3ए	00	14	25
	149/3वी	00	14	18
	149/4	00	01	73
	153/5	00	12	49
	153/6	00	00	10
	153/7	00	14	15
	153/8	00	04	01
	153/9	00	09	39
	153/10ए	00	04	29
	153/10वी	00	01	58
	153/11	00	00	62
	155/1	00	16	39
	155/2	00	02	67
	156/1	00	19	92
	156/2ए	00	19	76
4) मिवाला	24	00	25	98
	25	00	05	05
	31	00	02	86
	2/1	00	04	98
	2/2ए	00	10	97
	3/1ए	00	04	63
	3/1वी	00	09	17
	3/1मी	00	25	67
	4/2	00	00	50

1	2	3	4	5
4) मिवाला (निगंर)	4/3ए	00	00	40
	4/3बी	00	00	43
	10/2	00	07	59
	27/2	00	17	82
	27/3	00	04	41
	27/4	00	15	72
	28/2	00	18	36
	34/1ए	00	17	82
	34/1बी	00	03	98
	34/2	00	11	04
	35/3	00	01	87
	35/4	00	04	51
	35/5ए	00	16	45
	35/7	00	14	24
	36/1	00	01	85
	36/2	00	02	51
	10/3	00	14	12
5) डोंगरे	104/3	00	03	56
	99/1	00	07	77
	99/9	00	04	96
	100/1	00	10	07
	100/2	00	13	54
	100/3	00	09	57
	100/4	00	20	56
	101/1	00	20	21
	102/1	00	32	03
मंडल/ तेहमिल/ तालुक : गमचन्द्रापुरम	जिला : पूर्वी गोदावरी	राज्य : आन्ध्र प्रदेश		
1) वेगयम्पेटा	272	00	04	23
	294	00	34	62
	गट नंबर 297 में बालगज टैंक	00	04	07
	265/2	00	08	17
	265/3	00	06	04
	265/4	00	04	01
	266/6	00	19	17
	266/8	00	07	25
	266/9	00	07	56
	266/10	00	07	89
	267/2	00	00	41
	267/3	00	17	64
	267/5	00	04	41
	274/1	00	27	21
	274/3	00	08	66
	274/4	00	14	43

1	2	3	4	5
1) वेगयम्पटा (निग्न)	274/5	00	12	01
	275/1	00	02	86
	275/5	00	11	19
	275/6	00	12	88
	278/1	00	29	35
	278/2	00	00	35
	295/1	00	15	75
	295/2	00	20	01
	295/4	00	00	94
	296/1	00	27	28
	296/2	00	00	42
	297/1	00	27	25
	297/2	00	17	88
2) वेकटायापालेम	57	00	36	39
	67	00	47	03
	71	00	02	95
	गद संव 71 में नाला	00	01	29
	गद संव 151 में गेद	00	01	79
	162	00	61	21
	170	00	02	54
	352	00	43	81
	353	00	11	47
	480	00	02	07
	481	00	08	88
	43/1	00	00	10
	44/1	00	22	14
	44/2	00	25	87
	47/1	00	14	36
	47/2	00	03	90
	47/3	00	47	23
	54/1	00	26	38
	54/2	00	19	11
	55/2	00	16	12
	58/ नी	00	00	29
	63/1	00	16	89
	63/3	00	21	78
	63/4	00	07	61
	64/1	00	08	23
	72/2	00	05	07
	72/3	00	03	96
	72/5	00	03	67
	72/6	00	10	05

1	2	3	4	5
2) वेंकटायपानम (निम्न)	73/1	00	03	00
	149/बी/1	00	04	20
	149/बी/2	00	06	58
	151/1	00	02	67
	151/2	00	02	76
	152/5	00	00	56
	152/6	00	00	43
	152/7	00	01	37
	152/8	00	00	79
	153/1	00	18	01
	153/3	00	10	47
	155/5	00	03	11
	155/6	00	24	90
	155/7	00	00	77
	156/1	00	05	53
	156/2	00	01	11
	163/4	00	00	46
	351/3	00	13	88
	351/4	00	10	28
	351/5	00	01	08
	362/3	00	09	63
	362/4	00	11	01
	363/4बी	00	08	30
	364/1	00	01	31
	365/1	00	27	69
	365/2	00	35	63
	369/1	00	05	59
	369/2	00	05	05
	370/1	00	37	60
	371/1	00	07	38
	402/1	00	00	55
	402/2	00	00	74
	402/3	00	02	98
	403/1	00	01	65
	403/2	00	00	75
	404/1	00	13	24
	404/2	00	00	28
	404/3	00	12	41
	404/5ए	00	06	68
	404/5बी	00	03	19
	404/6	00	10	81
	404/7	00	06	41

1	2	3	4	5
2) बिकटपारकाल (निग्नर)	404/8	00	03	73
3) बेलमपालम	87	00	05	63
	95	00	05	85
	593	00	03	48
	नर भनर 593 में नाला	00	02	10
	62/2 बी	00	01	16
	63/2	00	03	29
	63/3	00	08	28
	63/4	00	03	03
	63/5	00	01	16
	63/6	00	00	10
	64/2 बी	00	05	08
	64/2 बी	00	23	69
	64/3	00	13	04
	67/1 बी	00	15	97
	67/8	00	11	15
	67/12	00	08	13
	67/13	00	15	59
	67/11 ए	00	06	36
	67/11 बी	00	11	10
	68/1	00	50	07
	68/3	00	26	95
	88/1	00	28	09
	88/2 बी 1	00	07	92
	88/2 बी 2	00	04	01
	96/1	00	25	72
	96/2	00	00	27
	97/1	00	13	58
	97/2	00	02	98
	98/3 बी	00	10	66
	98/4	00	36	76
	594/1	00	00	10
	595/1	00	09	95
	595/2	00	91	45
	596/3 बी	00	06	65
	617/2 ए	00	02	64
	617/1 बी	00	35	13
	617/2 बी	00	07	75
	617/5	00	12	45
	617/6	00	04	31
	619/1	00	17	36
	619/2 ए	00	05	13

1	2	3	4	5
3) नवलपालम (निम्न)	619/2बी	00	02	04
	619/3 ए	00	11	22
	619/3बी	00	00	79
	619/5 ए	00	03	59
	620/1	00	30	79
	620/2	00	01	47
	622/1	00	01	13
	622/2	00	00	10
	622/3	00	25	35
	622/4	00	20	42
	622/5	00	15	86
	628/2	00	26	31
	629/2	00	04	08
	629/4	00	07	68
	629/5	00	10	81
	629/6	00	14	62
	630/1	00	23	83
	630/7	00	09	71
	630/10	00	07	20

मंडल/ नेहमिल/ तालुक : राधावंगम	जिला : पूर्वी गोदावरी	राज्य : आन्ध्र प्रदेश
1) कुगकल्लापल्ले	107	00 38 20
	गट नंबर 132 में भाला	00 02 54
	106/3	00 03 44
	106/4	00 04 55
	108/1	00 30 06
	108/2ए	00 14 56
	111/1	00 21 48
	111/2ए	00 03 60
	111/2बी	00 06 29
	111/3ए	00 12 51
	112/1ए	00 10 44
	112/1बी	00 09 18
	112/1सी	00 12 21
	112/2ए	00 10 23
	128/1ए	00 11 89
	128/1बी	00 08 47
	129/1	00 18 18
	129/2	00 16 10
	130/3	00 48 29
	131/1ए	00 09 71
	131/2	00 26 32
	131/3ए	00 02 66
	131/4	00 17 08

1	2	3	4	5
1) कृगकल्लापल्ले (निगंत)	156/1	00	21	33
मंडल/ तेहसिल/ तालुक : कपिलेशवरपुरम	जिला : पूर्वी गोदावरी	राज्य : आन्ध्र प्रदेश		
1) टेकी	30	00	15	36
	31	00	03	48
	105	00	05	76
	125	00	15	23
	128	00	02	39
	216	00	19	15
	28/2बी	00	01	00
	28/10ए	00	07	93
	32/1	00	39	09
	32/6	00	07	68
	32/7	00	05	52
	33/1	00	05	29
	33/5	00	06	44
	33/6	00	06	35
	33/7	00	11	48
	33/8	00	08	46
	33/9	00	13	91
	34/3	00	00	91
	34/4बी	00	00	73
	34/5	00	00	76
	45/1	00	04	37
	45/3	00	07	01
	45/4	00	09	25
	45/7	00	10	77
	45/8	00	06	28
	45/9	00	10	46
	46/2	00	26	29
	46/3	00	17	05
	46/4	00	03	75
	46/5	00	06	81
	47/1	00	12	00
	47/2	00	00	55
	47/3	00	11	87
	47/4	00	00	10
	47/5	00	13	43
	51/6	00	33	12
	52/1	00	10	14
	52/2	00	04	77
	52/3	00	02	06
	53/4	00	16	72
	53/5	00	12	12

1	2	3	4	5
1) टेकी (निगतर)	54/1ए	00	01	86
	54/1बी	00	00	41
	54/1सी	00	00	23
	54/2	00	00	85
	54/4	00	00	69
	55/1	00	25	46
	55/2	00	16	37
	55/3	00	01	24
	55/4	00	01	72
	55/5	00	02	35
	106/2	00	00	10
	106/3	00	02	33
	106/4	00	03	90
	118/1	00	16	47
	118/2	00	06	87
	118/3	00	13	02
	119/1	00	25	11
	120/2	00	09	05
	120/3	00	15	78
	121/1	00	04	45
	121/2	00	04	08
	122/4	00	24	72
	123/3	00	22	69
	123/6	00	12	45
	123/7	00	11	61
	126/1	00	46	39
	126/2	00	03	35
	167/1	00	12	23
	213/1	00	03	67
	213/2	00	02	18
	213/4	00	02	40
	214/1	00	08	65
	214/2	00	07	21
	214/3	00	17	49
	217/1	00	11	50
	217/5	00	25	93
	217/6	00	15	76
	218/8	00	03	67
	218/7	00	00	54
2) नल्लुक्क	368/1	00	22	91
	368/2	00	13	41
	368/3	00	17	06

1	2	3	4	5
2) नल्लुम् (निगंन)	370/1	00	21	36
	370/2	00	07	72
	370/3	00	11	67
	371/2	00	23	11
	371/3	00	11	69
	372/1	00	11	88
	372/2	00	02	75
	372/3	00	06	80
	372/4	00	00	35
	372/5	00	00	87
	373/2	00	00	10
3) पडामटी खन्दीका	गट नंवर 20 में नाला	00	02	67
	38	00	29	23
	15/3	00	04	62
	15/4	00	00	18
	16/1मी	00	09	01
	16/2	00	07	75
	16/3	00	02	36
	17/1ए	00	13	30
	17/2ए	00	01	00
	17/2वी	00	10	99
	17/3	00	01	99
	17/4	00	22	49
	18/1ए	00	01	41
	18/1मी	00	03	41
	18/1मी	00	03	56
	18/1वी	00	01	41
	18/3	00	03	88
	18/4	00	05	20
	20/1	00	17	42
	20/2ए	00	00	97
	20/6	00	06	52
	33/1	00	08	77
	34/3	00	25	94
	35/2वी	00	00	99
	35/3	00	08	26
	39/1	00	15	32
	39/2	00	17	70
	39/3	00	01	77
	39/4	00	07	28
4) वेदुम्पुडी	163/1	00	13	34
	164/1	00	02	72

1	2	3	4	5
4) वेदुरुमुडी (निर्गम)	164/2	00	03	57
	166/2	00	04	96
	166/3	00	11	92
	166/4	00	11	01
	166/5	00	06	85
	166/6	00	05	37
	166/8	00	04	82
	166/10	00	10	02
	166/11	00	12	67
	168/3	00	09	71
	168/4	00	04	07
	168/5	00	04	10
	174/1	00	09	05
	174/2	00	08	80
	174/3	00	22	66
	174/4	00	13	76
	176/1	00	26	26
	176/2	00	02	39
	176/3	00	05	38

[फा सं. एल.-14014/18/2009-जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 15th June, 2010

S. O. 2114.— Whereas by notification of Government of India in the Ministry of Petroleum and Natural Gas number S.O. 1714, dated the 17th June, 2009, issued under sub-section (1) of section 3 of Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Government of India declared its intention to acquire the Right of User in the land specified in the Schedule appended to that notification for the purpose of laying Vijayawada-Nellore-Chennai Gas pipeline for transportation of natural gas by M/s. Relogistics Infrastructure Limited to the consumers in various parts of the country.

And, whereas, copies of the said Gazette notification were made available to the public on or before 23rd March, 2010;

And, whereas, objections received from the public to the laying of the pipeline have been considered and disallowed by the Competent Authority;

And, whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted its report to the Government of India;

And, whereas, Government of India, after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the Right of User therein;

Now, therefore, in exercise of powers conferred by sub-section (1) of section 6 of the said Act, Government of India hereby declares that the Right of User in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, Government of India hereby directs that the Right of User in the said land for laying the pipelines shall, instead of vesting in Government of India, vest, on the date of publication of the declaration, in M/s. Relogistics Infrastructure Limited, free from all encumbrances.

Schedule

Mandal/Tehsil/Taluk:Tallarevu		District:East Godavari		State:Andhra Pradesh	
Village	Survey No./Sub-Division No.	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Polekurru	16	00	08	66	
	Pond in Gat No.16	00	08	92	
	23	00	15	11	
	25	00	07	98	
	39	00	41	90	
	41	00	44	09	
	42	00	04	91	
	48	00	38	95	
	55	00	52	53	
	76	00	27	87	
	121	00	04	30	
	142	00	36	55	
	143	00	30	36	
	15/1	00	01	28	
	15/2	00	19	31	
	15/3	00	08	67	
	15/5	00	01	54	
	15/6	00	08	16	
	18/1	00	35	63	
	18/2	00	20	25	
	20/1	00	05	46	
	20/2	00	01	62	
	20/9	00	10	26	
	21/5	00	02	91	
	21/6	00	01	82	
	22/1	00	09	46	
	22/2	00	09	28	
	22/3	00	09	40	
	22/4	00	03	66	
	22/5	00	09	20	
	56/1	00	37	16	
	56/3	00	03	28	
	112/1	00	18	32	
	112/2	00	16	80	
	112/3	00	02	63	
	112/4	00	31	40	
	137/1A	00	03	77	

1	2	3	4	5
1) Polekurru (Contd)	137/1B	00	06	72
	137/2B	00	28	47
	141/3	00	00	15
	141/4	00	03	52
	141/5	00	05	36
	141/6	00	08	49
	141/7	00	10	40
	146/1	00	01	74
	147/1	00	05	42
	147/2	00	29	24

Mandal/Tehsil/Taluk:Kajuluru	District:East Godavari	State:Andhra Pradesh		
1) Pallipalem	Nala in Gat No.176	00	09	36
	180	00	01	98
	197	00	00	30
	210	00	30	26
	230	00	19	49
	231	00	33	36
	235	00	03	07
	243	00	05	19
	463	00	07	07
	493	00	05	50
	496	00	00	73
	170/4C	00	00	10
	170/4D	00	01	18
	174/1	00	21	42
	174/2	00	09	23
	175/1	00	00	15
	175/2	00	08	73
	175/3	00	06	87
	175/4A	00	00	36
	176/1	00	03	54
	176/2	00	01	54
	179/3	00	05	60
	208/4	00	11	61
	208/3	00	04	73
	209/2A	00	09	26
	209/1B	00	03	48
	209/2B	00	21	48
	212/1	00	00	46
	213/1	00	21	12
	213/2	00	16	10
	214/1	00	25	94
	214/2	00	22	10

1	2	3	4	5
1) Pallipaleni (Contd)	224/2	00	15	04
	224/3	00	10	17
	224/1	00	11	26
	225/1A	00	08	77
	225/1B	00	02	81
	225/2A	00	12	59
	232/3	00	26	53
	242/1	00	00	10
	244/1	00	00	14
	244/2	00	03	65
	244/3	00	10	70
	460/2	00	03	63
	461/1	00	17	15
	462/3A	00	07	88
	462/3B	00	11	29
	462/3C	00	03	10
	462/2	00	01	81
	466/1A	00	11	11
	480/1	00	43	70
	481/1	00	02	26
	481/2	00	13	20
	486/1	00	12	47
	488/6	00	00	85
	488/7	00	01	15
	488/8	00	05	37
	488/9	00	03	99
	488/10	00	09	00
	488/4A	00	01	53
	488/4B	00	07	95
	488/4C	00	08	48
	492/8	00	11	96
	492/7	00	01	45
	492/9	00	00	10
	492/10	00	16	36
	492/11	00	07	30
2) Kolanka	95	00	24	81
	119	00	30	06
	126	00	05	13
	199	00	49	05
	200	00	33	44
	268	00	29	09
	276	00	46	89

1	2	3	4	5
2) Kolanka (Contd)	286	00	03	17
	93/1	00	05	70
	93/2	00	10	85
	93/3A	00	08	79
	93/4	00	15	57
	93/5	00	00	10
	94/1	00	08	23
	111/1	00	02	65
	111/2	00	04	21
	111/3	00	12	44
	112/1	00	11	89
	112/2A	00	11	40
	112/2B	00	11	02
	112/2C	00	00	10
	117/1A	00	25	97
	117/1B	00	06	49
	117/2	00	02	33
	117/3	00	09	02
	118/1	00	10	29
	118/2	00	15	20
	124/1	00	09	49
	124/2	00	00	82
	124/3	00	11	22
	124/4	00	16	03
	125/3	00	03	96
	125/4	00	14	50
	127/1	00	33	55
	127/2	00	00	10
	131/1	00	06	98
	201/1	00	02	36
	246/2A	00	00	10
	246/2B	00	03	28
	246/2C	00	15	79
	246/2D	00	03	02
	250/1	00	12	97
	250/2A	00	07	42
	250/2B	00	09	81
	250/2C	00	08	27
	250/3	00	04	64
	250/5	00	18	06
	251/5	00	01	08
	251/10	00	03	43

1	2	3	4	5
2) Kolanka (Contd)	251/14	00	01	22
	251/15	00	01	29
	251/16	00	03	11
	251/17	00	00	30
	251/18	00	04	29
	253/3A	00	08	18
	253/3B	00	17	50
	254/4	00	24	77
	269/1	00	05	08
	270/2	00	21	54
	274/1B	00	00	13
	274/1C	00	06	50
	274/2	00	02	82
	274/3	00	04	67
	274/4C	00	13	42
	277/1A	00	00	10
	278/1	00	17	62
	278/2	00	02	18
	278/3	00	30	15
3) Kuyyeru	Nala in Gat No.304	00	29	02
	367	00	34	19
	391	00	37	31
	303/1	00	50	52
	303/2	00	21	59
	309/1	00	21	57
	309/3	00	39	84
	310/1	00	44	93
	311/1	00	34	06
	311/2	00	14	44
	315/1	00	16	51
	315/2	00	18	48
	315/3	00	10	35
	315/6	00	02	86
	316/1	00	01	01
	316/2	00	03	88
	316/3	00	02	40
	316/4	00	06	15
	316/8	00	01	73
	316/9	00	03	00
	316/10	00	02	38
	316/11	00	01	35
	316/12	00	02	18

1	2	3	4	5
3) Kuyyeru (Contd)	316/13	00	02	99
	316/14	00	03	11
	316/15	00	03	10
	316/16	00	03	00
	316/17	00	00	10
	318/8	00	00	10
	323/4	00	05	04
	323/5	00	02	54
	323/6	00	02	73
	324/8	00	03	18
	324/9	00	03	21
	325/6	00	12	99
	325/10	00	03	50
	326/1	00	07	65
	326/5	00	16	36
	326/9	00	05	72
	331/1	00	02	71
	331/2	00	01	94
	331/4	00	10	45
	331/6	00	00	10
	332/1	00	10	30
	332/2	00	13	84
	332/4	00	13	52
	332/5	00	05	74
	359/9	00	00	83
	359/10	00	01	51
	359/11	00	06	64
	360/5	00	00	15
	360/6	00	00	15
	360/7	00	00	15
	360/8	00	00	15
	363/1	00	13	50
	363/4	00	18	48
	363/5	00	05	61
	363/6	00	03	42
	363/7	00	00	10
	364/2	00	07	18
	364/3	00	00	10
	364/4	00	20	30
	364/6	00	02	12
	364/7	00	13	29
	366/1	00	20	91

1	2	3	4	5
3) Kuyyuru (Contd)	366/2	00	01	33
	368/1	00	06	34
	368/3	00	00	38
	369/1	00	18	44
	369/10	00	20	52
	370/1	00	00	71
	371/2	00	00	32
	372/2	00	10	36
	372/3	00	06	00
	372/4	00	09	06
	372/7	00	00	23
	372/8	00	10	01
	374/2	00	06	84
	374/3	00	08	38
	374/4	00	06	72
	374/5	00	08	02
	374/6	00	00	94
	375/1	00	04	48
	375/2	00	05	50
	375/4	00	02	68
	390/1	00	13	18

Mandal/Tehsil/Taluk:Pamaru	District:East Godavari	State:Andhra Pradesh
1) Balantharam	64/5/B	00 11 71
	65/1	00 03 83
	65/2	00 08 55
	65/3/A	00 04 18
	65/3/B	00 16 40
	65/3/C	00 16 52
	76/1/A	00 20 63
	77	00 30 57
	80	00 04 82
	159/1/A	00 09 13
	159/1/B	00 19 11
	160/1	00 10 62
	160/2	00 11 43
	169/1	00 01 85
	169/2	00 02 19
	169/3	00 23 11
	169/4	00 10 31
	169/7/A	00 09 27
	169/7/B	00 04 56
	178/3	00 07 85
	178/4	00 06 96

1	2	3	4	5
1) Balantharam (Contd)	179/7/A	00	04	93
	179/7/B	00	12	48.
	179/8	00	02	16
	180/4	00	03	19
	180/5	00	10	03
	180/6	00	04	69
	180/7	00	03	47
	180/8/B	00	08	38
	182/2/A	00	08	72
	182/2/B	00	08	00
	182/2/C	00	00	90
	182/3	00	03	96
	182/4	00	08	31
	182/7	00	04	54
	182/8	00	10	66
	81/2A	00	17	41
	81/2B	00	11	14
	168/1	00	06	87
	168/2B	00	04	53
	168/3B	00	00	32
	168/3C	00	04	51
	168/4	00	07	31
	168/5	00	13	18
	168/7	00	04	04
2) Gudigalla	30	00	09	87
	22/2	00	02	82
	23/14	00	34	06
	24/5	00	06	27
	24/6	00	10	56
	24/7	00	09	24
	25/1	00	08	15
	25/3	00	01	59
	25/4	00	00	18
	26/1	00	15	70
	26/2	00	07	66
	26/6	00	00	88
	31/1	00	04	03
	31/4	00	08	46
3) Yerra Pothavaram	88	00	03	53
	89	00	02	29
	90	00	10	29
	154	00	09	79

1	2	3	4	5
3) Yerra Pothavaram (Contd)	86/4A	00	08	00
	86/4B	00	06	58
	86/5	00	07	01
	87/1	00	02	11
	87/5	00	03	07
	87/6	00	02	64
	87/8	00	00	22
	91/1	00	05	45
	91/3	00	23	60
	92/1	00	04	93
	145/1	00	02	12
	145/2A	00	00	84
	145/2B	00	33	66
	147/1A	00	16	90
	147/2	00	24	13
	149/1A	00	01	64
	149/1B	00	15	79
	149/2	00	16	96
	149/3A	00	14	25
	149/3B	00	14	18
	149/4	00	01	73
	153/5	00	12	49
	153/6	00	00	10
	153/7	00	14	15
	153/8	00	04	01
	153/9	00	09	39
	153/10A	00	04	29
	153/10B	00	01	58
	153/11	00	00	62
	155/1	00	16	39
	155/2	00	02	67
	156/1	00	19	92
	156/2A	00	19	76
4) Sivala	24	00	25	98
	25	00	05	05
	31	00	02	86
	2/1	00	04	98
	2/2A	00	10	97
	3/1A	00	04	63
	3/1B	00	09	17
	3/1C	00	25	67
	4/2	00	00	50

1	2	3	4	5
4) Sivala (Contd)	4/3A	00	00	40
	4/3B	00	00	43
	10/2	00	07	59
	27/2	00	17	82
	27/3	00	04	41
	27/4	00	15	72
	28/2	00	18	36
	34/1A	00	17	82
	34/1B	00	03	98
	34/2	00	11	04
	35/3	00	01	87
	35/4	00	04	51
	35/5A	00	16	45
	35/7	00	14	24
	36/1	00	01	85
	36/2	00	02	51
	10/3	00	14	12
5) Dangeru	104/3	00	03	56
	99/1	00	07	77
	99/9	00	04	96
	100/1	00	10	07
	100/2	00	13	54
	100/3	00	09	57
	100/4	00	20	56
	101/1	00	20	21
	102/1	00	32	03
Mandal/Tehsil/Taluk:Ramachandrapuram District:East Godavari		State:Andhra Pradesh		
1) Vegayampeta	272	00	04	23
	294	00	34	62
	Balaraju Tank in Gat No.297	00	04	07
	265/2	00	08	17
	265/3	00	06	04
	265/4	00	04	01
	266/6	00	19	17
	266/8	00	07	25
	266/9	00	07	56
	266/10	00	07	89
	267/2	00	00	41
	267/3	00	17	64
	267/5	00	04	41
	274/1	00	27	21
	274/3	00	08	66
	274/4	00	14	43

1	2	3	4	5
1) Vegayamimpeta (Contd)	274/5	00	12	01
	275/1	00	02	86
	275/5	00	11	19
	275/6	00	12	88
	278/1	00	29	35
	278/2	00	00	35
	295/1	00	15	75
	295/2	00	20	01
	295/4	00	00	94
	296/1	00	27	28
	296/2	00	00	42
	297/1	00	27	25
	297/2	00	17	88
2) Venkatayapalem	57	00	36	39
	67	00	47	03
	71	00	02	95
	Nala in Gat No.71	00	01	29
	Road in Gat No.151	00	01	79
	162	00	61	21
	170	00	02	54
	352	00	43	81
	353	00	11	47
	480	00	02	07
	481	00	08	88
	43/1	00	00	10
	44/1	00	22	14
	44/2	00	25	87
	47/1	00	14	36
	47/2	00	03	90
	47/3	00	47	23
	54/1	00	26	38
	54/2	00	19	11
	55/2	00	16	12
	58/B	00	00	29
	63/1	00	16	89
	63/3	00	21	78
	63/4	00	07	61
	64/1	00	08	23
	72/2	00	05	07
	72/3	00	03	96
	72/5	00	03	67
	72/6	00	10	05

1	2	3	4	5
2) Venkatayapalem (Contd)	73/1	00	03	00
	149/B/1	00	04	20
	149/B/2	00	06	58
	151/1	00	02	67
	151/2	00	02	76
	152/5	00	00	56
	152/6	00	00	43
	152/7	00	01	37
	152/8	00	00	79
	153/1	00	18	01
	153/3	00	10	47
	155/5	00	03	11
	155/6	00	24	90
	155/7	00	00	77
	156/1	00	05	53
	156/2	00	01	11
	163/4	00	00	46
	351/3	00	13	88
	351/4	00	10	28
	351/5	00	01	08
	362/3	00	09	63
	362/4	00	11	01
	363/4B	00	08	30
	364/1	00	01	31
	365/1	00	27	69
	365/2	00	35	63
	369/1	00	05	59
	369/2	00	05	05
	370/1	00	37	60
	371/1	00	07	38
	402/1	00	00	55
	402/2	00	00	74
	402/3	00	02	98
	403/1	00	01	65
	403/2	00	00	75
	404/1	00	13	24
	404/2	00	00	28
	404/3	00	12	41
	404/5A	00	06	68
	404/5B	00	03	19
	404/6	00	10	81
	404/7	00	06	41

1	2	3	4	5
2) Venkatayapakem (Contd)	404/8	00	03	73
3) Velampalem	87	00	05	63
	95	00	05	85
	593	00	03	48
	Nala in Gat No.593	00	02	10
	62/2G	00	01	16
	63/2	00	03	29
	63/3	00	08	28
	63/4	00	03	03
	63/5	00	01	16
	63/6	00	00	10
	64/2B	00	05	08
	64/2C	00	23	69
	64/3	00	13	04
	67/1B	00	15	97
	67/8	00	11	15
	67/12	00	08	13
	67/13	00	15	59
	67/11A	00	06	36
	67/11B	00	11	10
	68/1	00	50	07
	68/3	00	26	95
	88/1	00	28	09
	88/2B1	00	07	92
	88/2B2	00	04	01
	96/1	00	25	72
	96/2	00	00	27
	97/1	00	13	58
	97/2	00	02	98
	98/3B	00	10	66
	98/4	00	36	76
	594/1	00	00	10
	595/1	00	09	95
	595/2	00	91	45
	596/3C	00	06	65
	617/2A	00	02	64
	617/1B	00	35	13
	617/2B	00	07	75
	617/5	00	12	45
	617/6	00	04	31
	619/1	00	17	36
	619/2A	00	05	13

1	2	3	4	5
3) Velampalem (Contd)	619/2B	00	02	04
	619/3A	00	11	22
	619/3B	00	00	79
	619/5A	00	03	59
	620/1	00	30	79
	620/2	00	01	47
	622/1	00	01	13
	622/2	00	00	10
	622/3	00	25	35
	622/4	00	20	42
	622/5	00	15	86
	628/2	00	26	31
	629/2	00	04	08
	629/4	00	07	68
	629/5	00	10	81
	629/6	00	14	62
	630/1	00	23	83
	630/7	00	09	71
	630/10	00	07	20

Mandal/Tehsil/Taluk:Rayavaram	District:East Godavari	State:Andhra Pradesh		
1) Kurakallapalle	107	00	38	20
	Nala in Gat No.132	00	02	54
	106/3	00	03	44
	106/4	00	04	55
	108/1	00	30	06
	108/2A	00	14	56
	111/1	00	21	48
	111/2A	00	03	60
	111/2B	00	06	29
	111/3A	00	12	51
	112/1A	00	10	44
	112/1B	00	09	18
	112/1C	00	12	21
	112/2A	00	10	23
	128/1A	00	11	89
	128/1B	00	08	47
	129/1	00	18	18
	129/2	00	16	10
	130/3	00	48	29
	131/1A	00	09	71
	131/2	00	26	32
	131/3A	00	02	66
	131/4	00	17	08

1	2	3	4	5
1) Kurakallapalle (Contd)	156/1	00	21	33
Mandal/Tehsil/Taluk:Kapileswarapuram District:East Godavari State:Andhra Pradesh				
1) Teki	30	00	15	36
	31	00	03	48
	105	00	05	76
	125	00	15	23
	128	00	02	39
	216	00	19	15
	28/2B	00	01	00
	28/10A	00	07	93
	32/1	00	39	09
	32/6	00	07	68
	32/7	00	05	52
	33/1	00	05	29
	33/5	00	06	44
	33/6	00	06	35
	33/7	00	11	48
	33/8	00	08	46
	33/9	00	13	91
	34/3	00	00	91
	34/4B	00	00	73
	34/5	00	00	76
	45/1	00	04	37
	45/3	00	07	01
	45/4	00	09	25
	45/7	00	10	77
	45/8	00	06	28
	45/9	00	10	46
	46/2	00	26	29
	46/3	00	17	05
	46/4	00	03	75
	46/5	00	06	81
	47/1	00	12	00
	47/2	00	00	55
	47/3	00	11	87
	47/4	00	00	10
	47/5	00	13	43
	51/6	00	33	12
	52/1	00	10	14
	52/2	00	04	77
	52/3	00	02	06
	53/4	00	16	72
	53/5	00	12	12

1	2	3	4	5
1) Teki (Contd)	54/1A	00	01	86
	54/1B	00	00	41
	54/1C	00	00	23
	54/2	00	00	85
	54/4	00	00	69
	55/1	00	25	46
	55/2	00	16	37
	55/3	00	01	24
	55/4	00	01	72
	55/5	00	02	35
	106/2	00	00	10
	106/3	00	02	33
	106/4	00	03	90
	118/1	00	16	47
	118/2	00	06	87
	118/3	00	13	02
	119/1	00	25	11
	120/2	00	09	05
	120/3	00	15	78
	121/1	00	04	45
	121/2	00	04	08
	122/4	00	24	72
	123/3	00	22	69
	123/6	00	12	45
	123/7	00	11	61
	126/1	00	46	39
	126/2	00	03	35
	167/1	00	12	23
	213/1	00	03	67
	213/2	00	02	18
	213/4	00	02	40
	214/1	00	08	65
	214/2	00	07	21
	214/3	00	17	49
	217/1	00	11	50
	217/5	00	25	93
	217/6	00	15	76
	218/8	00	03	67
	218/7	00	00	54
2) Nalluru	368/1	00	22	91
	368/2	00	13	41
	368/3	00	17	06

1	2	3	4	5
2) Nalluru (Contd)	370/1	00	21	36
	370/2	00	07	72
	370/3	00	11	67
	371/2	00	23	11
	371/3	00	11	69
	372/1	00	11	88
	372/2	00	02	75
	372/3	00	06	80
	372/4	00	00	35
	372/5	00	00	87
	373/2	00	00	10
3) Padamati Khandrika	Nala in Gat No.20	00	02	67
	38	00	29	23
	15/3	00	04	62
	15/4	00	00	18
	16/1C	00	09	01
	16/2	00	07	75
	16/3	00	02	36
	17/1A	00	13	30
	17/2A	00	01	00
	17/2B	00	10	99
	17/3	00	01	99
	17/4	00	22	49
	18/1A	00	01	41
	18/1B	00	03	41
	18/1C	00	03	56
	18/1D	00	01	41
	18/3	00	03	88
	18/4	00	05	20
	20/1	00	17	42
	20/2A	00	00	97
	20/6	00	06	52
	33/1	00	08	77
	34/3	00	25	94
	35/2B	00	00	99
	35/3	00	08	26
	39/1	00	15	32
	39/2	00	17	70
	39/3	00	01	77
	39/4	00	07	28
4) Vedurumudi	163/1	00	13	34
	164/1	00	02	72

1	2	3	4	5
4) Vedurumudi (Contd)	164/2	00	03	57
	166/2	00	04	96
	166/3	00	11	92
	166/4	00	11	01
	166/5	00	06	85
	166/6	00	05	37
	166/8	00	04	82
	166/10	00	10	02
	166/11	00	12	67
	168/3	00	09	71
	168/4	00	04	07
	168/5	00	04	10
	174/1	00	09	05
	174/2	00	08	80
	174/3	00	22	66
	174/4	00	13	76
	176/1	00	26	26
	176/2	00	02	39
	176/3	00	05	38

[F. No. L-14014/18/2009-GP]
SNEH P. MADAN, Under Secy.

नई दिल्ली, 19 जून, 2010

का. आ. 2115.—भारत सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 1854, तारीख 25 जून, 2009 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, देश के विभिन्न हिस्सों में स्थित उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा विजयवाड़ा-नेल्लोर-चेन्नई गैस पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के लिए अपने आशय की घोषणा की थी;

और, उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 23 मार्च, 2010 को अथवा उससे पूर्व उपलब्ध करा दी गई थीं;

और, पाइपलाइन बिछाने के संबंध में जनता की ओर से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और अनुनुज्ञात कर दिया गया;

और, सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है;

और, भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन का विनिश्चय किया है;

अतः, अब, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से भारत सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, में निहित होगा

अनुसूची

मंडल/ तेहसिल/ तालुक : गुडलवल्लोरु		जिला : कृष्णा		राज्य : आन्ध्र प्रदेश	
गाँव का नाम		सर्वे सं/सब डिविजन सं		आर ओ यू अर्जित करने के लिए क्षेत्रफल	
				हेक्टेयर	एयर
1	2	3	4	5	
1) विन्नाकोट	102	00	03	19	
	103	00	21	28	
	104	00	21	17	
	109	00	01	08	
	120	00	50	83	
	127	00	07	34	
	133	00	00	64	
	473	00	26	68	
	481	00	00	59	
	483	00	28	45	
	484	00	07	77	
	गट नंबर 484 में नदी	00	21	01	
	485	00	07	62	
	500	00	08	14	
	501	00	36	19	
	105/1	00	15	21	
	106/1	00	05	56	
	108/3	00	01	81	
	108/2ए	00	26	68	
	108/1ए	00	22	29	
	117/1	00	00	12	
	117/2	00	00	20	
	118/4	00	37	68	
	118/3	00	14	84	
	121/ए2	00	50	03	
	121/ए1	00	31	43	
	128/3	00	00	10	
	128/1	00	17	65	
	486/2	00	04	18	
	486/1	00	61	16	
	497/3	00	00	10	
	498/3	00	21	72	
	498/2	00	06	07	
	499/2	00	26	09	
2) चन्द्राला	गट नंबर 71 में नाला	00	01	58	
	गट नंबर 72 में नाला	00	03	72	
	78	00	02	41	

1	2	3	4	5
2) चन्द्राला (निरंतर)	84	00	04	62
	174	00	06	29
	175	00	03	26
	185	00	31	18
	189	00	30	92
	190	00	12	48
	191	00	07	84
	187/1	00	20	00
	186/1	00	35	40
	186/2	00	13	53
	181/1	00	19	13
	181/2	00	24	51
	180/1	00	00	10
	172/3	00	02	00
	172/4	00	03	84
	94/3	00	13	16
	85/2	00	48	85
	83/1	00	05	11
	83/2	00	19	04
	82/1	00	34	13
	81/1	00	00	10
	76/1	00	05	45
	75/1	00	14	51
	75/2	00	37	28
	73/1	00	01	29
	73/2ए	00	25	64
	72/1ए	00	00	65
	72/1बी	00	00	37
	72/3	00	00	83
	72/2	00	00	10
	71/1	00	02	12
	71/2	00	05	90
	71/3	00	02	37
3) अनालूरु	523	00	26	13
	526	00	03	83
	560	00	10	02
	564	00	22	79
	576	00	43	62
	581	00	11	04
	583	00	09	00
	595	00	09	11
	659	00	08	56

1	2	3	4	5
3) अगलूरु (निरंतर)	661	00	27	57
	675	00	23	62
	657/2वी	00	12	07
	524/1	00	27	55
	559/1	00	01	42
	559/2	00	15	11
	561/1	00	07	80
	565/1	00	20	47
	565/2	00	00	10
	566/1	00	01	27
	566/2	00	07	14
	567/3	00	06	54
	567/2	00	31	59
	567/1	00	08	81
	568/1	00	11	83
	582/1ए	00	00	20
	582/1वी	00	16	49
	582/2	00	19	08
	584/6वी	00	02	16
	585/1ए	00	00	10
	585/1वी	00	07	95
	585/4ए	00	11	36
	585/3ए	00	04	80
	585/4वी	00	00	90
	585/3वी	00	10	64
	585/2वी	00	03	92
	586/6	00	06	71
	596/2	00	07	84
	596/3	00	09	65
	596/8	00	00	16
	596/7	00	02	39
	596/6	00	00	12
	597/4	00	16	51
	597/1	00	00	61
	597/2	00	03	95
	597/3	00	19	59
	598/1	00	06	04
	599/1	00	40	73
	600/2	00	04	76
	600/1	00	09	98
	602/6	00	08	52
	602/5	00	11	44

1	2	3	4	5
3) अन्गलूरु (निरंतर)	60 2/4	00	00	10
	658/1	00	03	28
	658/2	00	02	05
	660/1	00	11	12
	660/2	00	28	79
	667/1	00	22	99
	669/3	00	13	12
	669/2ए	00	11	40
	669/1ए	00	10	54
	669/1बी	00	03	15
	670/2	00	24	44
	670/1	00	24	59
	671/3	00	01	77
	672/1	00	27	89
	672/2ए	00	06	86
	672/2बी	00	06	05
	672/2सी	00	02	43
	672/2डी	00	00	10
	673/2	00	00	10
	673/1	00	02	98
4) वेमुगुन्टा	3	00	00	22
	गट नंबर 3 में नाला	00	00	10
	4	00	03	18
	गट नंबर 4 में नाला	00	01	23
	13	00	06	74
	14	00	40	85
	16	00	35	65
	24	00	01	16
	गट नंबर 27 में नाला	00	03	97
	18/1	00	39	67
	18/2	00	35	96
	19/3	00	00	86
	25/1	00	21	60
	25/2	00	07	25
	27/4	00	11	80
	27/5	00	05	69
	28/1	00	10	90
	28/2	00	14	49
	29/2	00	37	29
	29/1	00	01	29
	29/4	00	01	95
5) पेन्जेंद्रा	75	00	08	79

1	2	3	4	5
5) पेन्जेंद्रा (निरंतर)	गट नंबर 75 में नाला	00	03	98
	102	00	21	98
	103	00	35	15
	218	00	16	03
	219	00	28	35
	229	00	02	54
	गट नंबर 229 में नाला	00	05	78
	231	00	15	56
	298	00	27	91
	299	00	14	63
	300	00	25	89
	304	00	01	15
	305	00	14	91
	306	00	04	63
	गट नंबर 306 में रास्ता	00	11	85
	310	00	29	74
	360	00	05	90
	गट नंबर 360 में नाला	00	02	90
	367	00	05	47
	370	00	13	37
	377	00	17	20
	378	00	05	09
	380	00	10	78
	385	00	03	11
	85/6वी	00	03	48
	85/7ए	00	15	48
	85/5	00	10	69
	84/1	00	36	92
	86/2	00	09	16
	88/2	00	42	31
	88/3	00	01	81
	105/11	00	00	73
	105/12	00	01	83
	238/1	00	04	97
	235/5	00	24	62
	235/4	00	10	23
	235/3	00	00	49
	235/1	00	14	94
	233/1	00	20	15
	230/2	00	11	98
	228/3	00	15	90
	227/1	00	15	09

1	2	3	4	5
5) पेन्जेंद्रा (निरंतर)	225/1	00	22	42
	225/2	00	05	41
	226/3	00	01	44
	226/1	00	15	06
	217/2	00	10	36
	301/1	00	01	66
	301/2	00	16	05
	309/1ए	00	00	10
	309/1बी	00	18	03
	309/2	00	08	57
	316/1	00	19	44
	317/1	00	00	89
	317/2	00	23	80
	317/8	00	35	99
	381/1ए	00	01	63
	379/3	00	09	61
	379/1	00	24	10
	379/2	00	01	00
	369/3	00	16	49
	369/1	00	17	48
	368/2ए	00	10	36
	368/2बी	00	14	01
	363/1ए	00	06	02
	363/1बी	00	14	81
	363/2	00	26	58
	362/1	00	13	04
	362/2	00	10	14
	361/1	00	02	11
	359/4ए	00	02	06
	359/3ए	00	25	37
	359/3बी	00	12	93
	359/2	00	00	34

मंडल/ तेहसिल/ तालुक :पामारु	जिला :कृष्णा	राज्य :आन्ध्र प्रदेश
1) रिम्मानापुडी	84	00 07 13
	162	00 31 01
	163	00 27 80
	167	00 00 28
	170	00 04 41
	180	00 38 56
	82/2सी	00 18 53
	83/1	00 11 04
	85/1	00 22 59
	85/2	00 12 58

1	2	3	4	5
1) रिम्नापुडी (निरंतर)	95/1	00	29	38
	95/2	00	30	09
	102/5	00	04	05
	103/2	00	01	89
	103/3	00	02	54
	103/7	00	03	38
	103/6	00	00	88
	104/1	00	29	07
	104/2	00	27	63
	149/3	00	04	47
	149/4	00	27	66
	149/2	00	00	68
	150/1ए2	00	01	15
	150/1ए1	00	17	71
	150/2बी1	00	18	75
	150/2ए5	00	10	49
	150/2ए3	00	00	18
	150/2ए4	00	03	74
	150/2ए7	00	12	21
	150/2ए8	00	15	66
	151/1सी	00	00	97
	151/2	00	05	19
	151/1बी	00	00	20
	164/5	00	00	10
	164/6	00	13	23
	165/3	00	09	41
	168/3	00	22	76
	169/1	00	31	11
	171/1	00	06	86
2) कोन्डीपारु	181	00	05	19
	197	00	21	90
	174/13	00	07	47
	174/12	00	09	10
	174/11	00	02	42
	174/10सी	00	01	60
	174/10बी	00	02	72
	174/10ए	00	03	99
	174/9बी	00	03	97
	174/9ए	00	00	28
	175/2	00	00	31
	182/2ई	00	21	11
	182/2डी	00	00	34

1	2	3	4	5
2) कोन्डीपारू (निरंतर)	182/2सी	00	06	42
	183/3	00	00	18
	183/4	00	04	28
	183/5	00	14	26
	184/2	00	01	37
	184/1ए	00	20	24
	184/1बी	00	00	80
	185/1बी	00	00	10
	185/1सी	00	04	20
	185/1डी	00	08	77
	185/2	00	36	24
	187/1ए	00	05	10
	189/1ए	00	21	85
	189/1बी	00	01	56
3) रापर्ला	14	00	14	11
	19	00	03	28
	गट नंबर 19 में रास्ता	00	04	18
	गट नंबर 45 में नाला	00	09	04
	12/4	00	05	07
	12/2	00	02	13
	12/3	00	16	65
	12/5	00	13	85
	15/2बी	00	32	63
	15/2ए	00	08	54
	16/5	00	12	10
	17/2	00	00	42
	17/1	00	19	15
	23/11	00	00	10
	24/7	00	22	90
	24/8	00	06	92
	24/9	00	12	08
	24/10	00	05	38
	24/11ए	00	03	56
	24/4	00	46	11
	28/2ए	00	01	99
	28/2बी	00	00	67
	29/5	00	10	35
	29/6	00	05	59
	29/7	00	01	79
	29/12	00	02	34
	29/10	00	01	78
	29/9	00	15	41

1	2	3	4	5
3) राफर्ला (निरंतर)	29/11	00	17	12
	30/1	00	09	69
	30/2ए	00	07	71
	30/3ए	00	00	81
	30/3बी	00	00	10
	33/2ए	00	00	30
	33/1	00	02	51
	33/4ए	00	00	36
	35/1	00	02	37
	35/2	00	27	83
	49/3	00	03	08
	50/2	00	01	82
	50/4	00	07	61
	50/3	00	06	30
	50/1जे	00	21	77
	50/1आई	00	00	85
	50/7ए	00	00	64
	50/1एच	00	12	17
	50/1जी	00	07	85
	50/1डी	00	00	17
	50/1ई	00	10	12
	50/1एफ	00	09	25
	50/6	00	02	90
	52/1	00	07	16
	52/2	00	45	35
	53/2	00	00	31
	53/1	00	14	42
	54/1	00	00	10
	57/4	00	08	53
	57/3	00	09	91
	57/2	00	07	36
	57/5बी	00	00	84
	57/5ए	00	18	93
	57/6	00	13	60
	59/2	00	05	73
	59/3	00	14	50
	29/3	00	01	03
	35/3	00	02	64
मंडल/ तेहसिल/ तालुक : मोव्या	जिला : कृष्णा	राज्य : आन्ध्र प्रदेश		
1) भटलापेनुमरु	512	00	26	73
	517	00	05	52
	533	00	14	05
	557	00	02	73

1	2	3	4	5
1) भटलापेनुमरु (निरंतर)	562	00	10	38
	563	00	24	09
	564	00	04	92
	579	00	10	18
	513/2	00	33	03
	511/2	00	08	16
	511/1	00	25	26
	511/3	00	00	75
	510/4	00	01	00
	510/2	00	00	67
	520/2	00	02	55
	520/1	00	28	08
	534/1	00	30	35
	540/2	00	15	99
	540/1	00	26	29
	540/3	00	00	80
	539/1	00	04	55
	539/2	00	01	63
	539/3	00	05	56
	539/4	00	03	95
	565/3	00	29	48
	565/4	00	00	10
	561/2	00	21	14
	554/1	00	00	10
2) बर्लापूडी	7	00	47	84
	10	00	04	95
	गट नंबर 10 में रोड	00	02	84
	91	00	13	04
	गट नंबर 91 में नदी	00	06	09
	10 2	00	06	54
	13/1	00	00	64
	13/2ए	00	21	16
	13/2बी	00	03	12
	13/3ए	00	01	42
	13/3बी	00	18	83
	15/1बी	00	05	28
	15/1ए	00	23	37
	16/2ए	00	18	10
	16/1	00	21	08
	17/5	00	00	32
	17/6ए	00	27	09
	17/4बी	00	00	10

1	2	3	4	5
2) झर्लापूडी (निरंतर)	27/1	00	13	90
	27/2	00	12	22
	27/3	00	02	69
	28/2	00	00	88
	28/1	00	01	88
	94/1बी	00	03	33
	94/1ए	00	12	06
	94/2	00	08	14
	95/4ए	00	04	12
	95/4बी	00	19	60
	95/3बी	00	00	10
	101/1	00	21	97
	103/2	00	00	10

मंडल/ तेहसिल/ तालुक : पमिडीमुक्कला	जिला : कृष्णा	राज्य : आन्ध्र प्रदेश		
1) मामिल्लापल्ले	111/14	00	00	35
	111/15	00	04	12
	111/18	00	07	63
	111/19	00	10	79
	111/20	00	03	92
	111/21	00	12	99
	111/23	00	07	26
	111/24	00	00	76
	111/22	00	20	14
	111/27	00	07	48
	111/11	00	07	94
	111/10	00	10	21
	111/8	00	00	10
	111/06	00	00	35
	111/7	00	10	45
	110/19	00	06	83
2) पेनुमत्सा	14	00	30	33
	17	00	05	03
	गट नंबर 17 में नाला	00	04	42
	8/6	00	00	40
	8/5	00	00	46
	15/3	00	00	33
	15/2	00	12	92
	15/1	00	19	61
	13/2	00	04	28
	18/2	00	14	53
	18/1	00	30	78
	25/2	00	04	14
	25/1	00	31	74

1	2	3	4	5
3) कृष्णापुरम	148	00	37	13
	149	00	01	58
	150	00	28	70
	154	00	08	36
	170	00	08	42
	182	00	09	95
	331	00	49	81
	332	00	09	94
	335	00	11	22
	336	00	00	98
	343	00	06	13
	347	00	09	43
	329/2	00	05	61
	334/3	00	43	78
	334/2	00	00	99
	334/1	00	11	12
	360/1	00	07	10
	359/1	00	00	97
	359/2	00	31	78
	358/2	00	08	22
	358/1	00	15	24
	352/2	00	26	35
	352/1	00	03	87
	352/3	00	13	41
	351/2	00	01	70
	349/7	00	07	68
	349/8	00	35	23
	349/5	00	05	75
	344/1	00	13	20
	344/2	00	31	52
	344/3	00	02	89
	183/3	00	20	53
	184/5	00	00	10
	181/1	00	13	58
	181/2	00	23	60
	166/2	00	07	73
	166/1	00	05	80
	172/7	00	03	12
	155/1	00	16	18
	155/2	00	00	10
	155/4	00	06	87
	155/3	00	02	10

1	2	3	4	5
3) कृष्णापुरम (निरंतर)	155/5	00	00	10
	155/6	00	11	01
	153/2	00	39	62
	153/1	00	08	84
	151/1	00	03	80
	147/3	00	19	25
	147/4	00	26	08
	146/4	00	21	80
	144/4	00	12	77
4) चोरागुडी	7	00	14	58
	32	00	07	76
	343	00	19	91
	6/2	00	47	20
	6/1	00	02	50
	5/8	00	37	35
	5/10	00	01	36
	5/11	00	23	91
	5/14	00	05	09
	33/1बी	00	02	63
	33/2बी	00	18	89
	33/4	00	01	22
	33/3	00	22	40
	344/3	00	02	69
	344/2	00	23	38
	344/1	00	19	54
	40/7	00	00	91
	40/6	00	10	36
	40/1बी	00	00	67
	40/2बी	00	01	45
	40/3बी	00	03	55
	40/4बी	00	09	31
	40/5बी	00	15	50
5) कुडेरु	130	00	27	30
	133	00	06	65
	192	00	05	20
	गट नंबर 233 में नदी	00	03	20
	243	00	04	88
	गट नंबर 243 में नदी	00	02	69
	309	00	24	91
	233/1	00	10	85
	233/2ए	00	06	00
	234/1	00	24	31

1	2	3	4	5
5) कुडेरु (निरंतर)	235/1	00	05	19
	235/2	00	00	48
	236/5	00	12	14
	236/3	00	04	98
	236/2	00	00	10
	239/2	00	28	27
	239/1	00	10	22
	244/1	00	19	23
	245/1	00	01	44
	245/2	00	12	01
	245/3	00	00	45
	193/1	00	03	33
	190/2	00	08	79
	190/1	00	05	06
	189/1	00	05	66
	189/2	00	20	74
	189/3	00	06	91
	178/3	00	11	58
	178/2	00	03	42
	178/1	00	00	10
	178/4	00	01	96
	178/5	00	12	90
	176/2	00	16	15
	176/1	00	24	48
	175/2	00	03	84
	169/4	00	09	92
	167/5	00	07	58
	167/4	00	10	02
	167/6	00	00	56
	167/3	00	07	50
	167/2	00	00	17
	166/7	00	05	55
	166/8	00	12	57
	166/2	00	07	31
	158/5	00	11	88
	158/3	00	01	86
	158/4	00	12	67
	158/2	00	05	73
	158/1	00	03	30
	153/2	00	00	60
	153/4	00	24	81
	153/3	00	00	64

1	2	3	4	5
5) कुडेरु (निरंतर)	153/6	00	00	53
	153/7	00	09	56
	152/4	00	14	12
	152/1	00	00	31
	152/3	00	05	54
	152/2	00	02	61
	151/4	00	08	00
	151/3	00	10	66
	151/2	00	03	67
	151/1	00	00	49
	151/6	00	01	73
	146/6	00	03	23
	146/5	00	05	84
	146/4	00	06	10
	146/2	00	06	82
	146/3	00	03	87
	347/12	00	03	06
	347/11	00	11	35
6) ईनापुरु	31	00	41	13
	97	00	09	94
7) लंकापल्लि	गट नंबर 4 में नदी	00	05	67
	144	00	28	98
	154	00	04	86
	गट नंबर 145 और गोंव की सीमा के बीच में	00	04	83
	155/13	00	02	91
	155/9	00	11	28
	155/5	00	05	02
	155/4	00	00	10
	155/8	00	04	98
	155/6	00	00	70
	157/7	00	09	07
	157/3	00	20	07
	157/8	00	00	62
	4/वी	00	00	58

1	2	3	4	5
7) लंकापल्लि (निरंतर)	4/ए	00	10	32

[फा सं. एल.-14014/19/2009-जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 19th June, 2010

S. O. 2115.—Whereas by notification of Government of India in the Ministry of Petroleum and Natural Gas number S.O. 1854, dated the 25th June, 2009, issued under sub-section (1) of section 3 of Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Government of India declared its intention to acquire the Right of User in the land specified in the Schedule appended to that notification for the purpose of laying Vijayawada-Nellore-Chennai Gas pipeline for transportation of natural gas by M/s. Relogistics Infrastructure Limited to the consumers in various parts of the country.

And, whereas, copies of the said Gazette notification were made available to the public on or before 23rd March, 2010;

And, whereas, objections received from the public to the laying of the pipeline have been considered and disallowed by the Competent Authority;

And, whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted its report to the Government of India;

And, whereas, Government of India, after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the Right of User therein;

Now, therefore, in exercise of powers conferred by sub-section (1) of section 6 of the said Act, Government of India hereby declares that the Right of User in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, Government of India hereby directs that the Right of User in the said land for laying the pipelines shall, instead of vesting in Government of India, vest, on the date of publication of the declaration, in M/s. Relogistics Infrastructure Limited, free from all encumbrances.

Schedule

Mandal/Tehsil/Taluk:Gudlavalleru		District:Krishna		State:Andhra Pradesh	
Village	Survey No./Sub-Division No	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Vinnakota	102	00	03	19	
	103	00	21	28	
	104	00	21	17	
	109	00	01	08	
	120	00	50	83	
	127	00	07	34	
	133	00	00	64	
	473	00	26	68	
	481	00	00	59	
	483	00	28	45	
	484	00	07	77	
	River in Gat No.484	00	21	01	
	485	00	07	62	
	500	00	08	14	
	501	00	36	19	
	105/1	00	15	21	
	106/1	00	05	56	
	108/3	00	01	81	
	108/2A	00	26	68	
	108/1A	00	22	29	
	117/1	00	00	12	
	117/2	00	00	20	
	118/4	00	37	68	
	118/3	00	14	84	
	121/A2	00	50	03	
	121/A1	00	31	43	
	128/3	00	00	10	
	128/1	00	17	65	
	486/2	00	04	18	
	486/1	00	61	16	
	497/3	00	00	10	
	498/3	00	21	72	
	498/2	00	06	07	
	499/2	00	26	09	
2) Chandrala	Nala in Gat No.71	00	01	58	
	Nala in Gat No.72	00	03	72	
	78	00	02	41	

1	2	3	4	5
2) Chandrala (Contd)	84	00	04	62
	174	00	06	29
	175	00	03	26
	185	00	31	18
	189	00	30	92
	190	00	12	48
	191	00	07	84
	187/1	00	20	00
	186/1	00	35	40
	186/2	00	13	53
	181/1	00	19	13
	181/2	00	24	51
	180/1	00	00	10
	172/3	00	02	00
	172/4	00	03	84
	94/3	00	13	16
	85/2	00	48	85
	83/1	00	05	11
	83/2	00	19	04
	82/1	00	34	13
	81/1	00	00	10
	76/1	00	05	45
	75/1	00	14	51
	75/2	00	37	28
	73/1	00	01	29
	73/2A	00	25	64
	72/1A	00	00	65
	72/1B	00	00	37
	72/3	00	00	83
	72/2	00	00	10
	71/1	00	02	12
	71/2	00	05	90
	71/3	00	02	37
3) Angaluru	523	00	26	13
	526	00	03	83
	560	00	10	02
	564	00	22	79
	576	00	43	62
	581	00	11	04
	583	00	09	00
	595	00	09	11
	659	00	08	56

1	2	3	4	5
3) Angaluru (Contd)	661	00	27	57
	675	00	23	62
	657/2B	00	12	07
	524/1	00	27	55
	559/1	00	01	42
	559/2	00	15	11
	561/1	00	07	80
	565/1	00	20	47
	565/2	00	00	10
	566/1	00	01	27
	566/2	00	07	14
	567/3	00	06	54
	567/2	00	31	59
	567/1	00	08	81
	568/1	00	11	83
	582/1A	00	00	20
	582/1B	00	16	49
	582/2	00	19	08
	584/6B	00	02	16
	585/1A	00	00	10
	585/1B	00	07	95
	585/4A	00	11	36
	585/3A	00	04	80
	585/4B	00	00	90
	585/3B	00	10	64
	585/2B	00	03	92
	586/6	00	06	71
	596/2	00	07	84
	596/3	00	09	65
	596/8	00	00	16
	596/7	00	02	39
	596/6	00	00	12
	597/4	00	16	51
	597/1	00	00	61
	597/2	00	03	95
	597/3	00	19	59
	598/1	00	06	04
	599/1	00	40	73
	600/2	00	04	76
	600/1	00	09	98
	602/6	00	08	52
	602/5	00	11	44

1	2	3	4	5
3) Angahuru (Contd)	602/4	00	00	10
	658/1	00	03	28
	658/2	00	02	05
	660/1	00	11	12
	660/2	00	28	79
	667/1	00	22	99
	669/3	00	13	12
	669/2A	00	11	40
	669/1A	00	10	54
	669/1B	00	03	15
	670/2	00	24	44
	670/1	00	24	89
	671/3	00	01	77
	672/1	00	27	89
	672/2A	00	06	86
	672/2B	00	06	05
	672/2C	00	02	43
	672/2D	00	00	10
	673/2	00	00	10
	673/1	00	02	98
4) Vemugunta	3	00	00	22
	Nala in Gat No.3	00	00	10
	4	00	03	18
	Nala in Gat No.4	00	01	23
	13	00	06	74
	14	00	40	85
	16	00	35	65
	24	00	01	16
	Nala in Gat No.27	00	03	97
	18/1	00	39	67
	18/2	00	35	96
	19/3	00	00	86
	25/1	00	21	60
	25/2	00	07	25
	27/4	00	11	80
	27/5	00	05	69
	28/1	00	10	90
	28/2	00	14	49
	29/2	00	37	29
	29/1	00	01	29
	29/4	00	01	95
5) Penjendra	75	00	08	79

1	2	3	4	5
5) Penjendra (Contd)	Nala in Gat No.75	00	03	98
	102	00	21	98
	103	00	35	15
	218	00	16	03
	219	00	28	35
	229	00	02	54
	Nala in Gat No.229	00	05	78
	231	00	15	56
	298	00	27	91
	299	00	14	63
	300	00	25	89
	304	00	01	15
	305	00	14	91
	306	00	04	63
	Cart Track in Gat No.306	00	11	85
	310	00	29	74
	360	00	05	90
	Nala in Gat No.360	00	02	90
	367	00	05	47
	370	00	13	37
	377	00	17	20
	378	00	05	09
	380	00	10	78
	385	00	03	11
	85/6B	00	03	48
	85/7A	00	15	48
	85/5	00	10	69
	84/1	00	36	92
	86/2	00	09	16
	88/2	00	42	31
	88/3	00	01	81
	105/11	00	00	73
	105/12	00	01	83
	238/1	00	04	97
	235/5	00	24	62
	235/4	00	10	23
	235/3	00	00	49
	235/1	00	14	94
	233/1	00	20	15
	230/2	00	11	98
	228/3	00	15	90
	227/1	00	15	09

1	2	3	4	5
5) Penjendra (Contd)	225/1	00	22	42
	225/2	00	05	41
	226/3	00	01	44
	226/1	00	15	06
	217/2	00	10	36
	301/1	00	01	66
	301/2	00	16	05
	309/1A	00	00	10
	309/1B	00	18	03
	309/2	00	08	57
	316/1	00	19	44
	317/1	00	00	89
	317/2	00	23	80
	317/8	00	35	99
	381/1A	00	01	63
	379/3	00	09	61
	379/1	00	24	10
	379/2	00	01	00
	369/3	00	16	49
	369/1	00	17	48
	368/2A	00	10	36
	368/2B	00	14	01
	363/1A	00	06	02
	363/1B	00	14	81
	363/2	00	26	58
	362/1	00	13	04
	362/2	00	10	14
	361/1	00	02	11
	359/4A	00	02	06
	359/3A	00	25	37
	359/3B	00	12	93
	359/2	00	00	34

Mandal/Tehsil/Taluk:Pamaru	District:Krishna	State:Andhra Pradesh
1) Rimmanapudi	84	00 07 13
	162	00 31 01
	163	00 27 80
	167	00 00 28
	170	00 04 41
	180	00 38 56
	82/2C	00 18 53
	83/1	00 11 04
	85/1	00 22 59
	85/2	00 12 58

1	2	3	4	5
1) Rimmanapudi (Contd)	95/1	00	29	38
	95/2	00	30	09
	102/5	00	04	05
	103/2	00	01	89
	103/3	00	02	54
	103/7	00	03	38
	103/6	00	00	88
	104/1	00	29	07
	104/2	00	27	63
	149/3	00	04	47
	149/4	00	27	66
	149/2	00	00	68
	150/1A2	00	01	15
	150/1A1	00	17	71
	150/2B1	00	18	75
	150/2A5	00	10	49
	150/2A3	00	00	18
	150/2A4	00	03	74
	150/2A7	00	12	21
	150/2A8	00	15	66
	151/1C	00	00	97
	151/2	00	05	19
	151/1B	00	00	20
	164/5	00	00	10
	164/6	00	13	23
	165/3	00	09	41
	168/3	00	22	76
	169/1	00	31	11
	171/1	00	06	86
2) Kondiparru	181	00	05	19
	197	00	21	90
	174/13	00	07	47
	174/12	00	09	10
	174/11	00	02	42
	174/10C	00	01	60
	174/10B	00	02	72
	174/10A	00	03	99
	174/9B	00	03	97
	174/9A	00	00	28
	175/2	00	00	31
	182/2E	00	21	11
	182/2D	00	00	34

1	2	3	4	5
2) Kondiparru (Contd)	182/2C	00	06	42
	183/3	00	00	18
	183/4	00	04	28
	183/5	00	14	26
	184/2	00	01	37
	184/1A	00	20	24
	184/1B	00	00	80
	185/1B	00	00	10
	185/1C	00	04	20
	185/1D	00	08	77
	185/2	00	36	24
	187/1A	00	05	10
	189/1A	00	21	85
	189/1B	00	01	56
3) Raparla	14	00	14	11
	19	00	03	28
	Cart Track in Gat No.19	00	04	18
	Nala in Gat No.45	00	09	04
	12/4	00	05	07
	12/2	00	02	13
	12/3	00	16	65
	12/5	00	13	85
	15/2B	00	32	63
	15/2A	00	08	54
	16/5	00	12	10
	17/2	00	00	42
	17/1	00	19	15
	23/11	00	00	10
	24/7	00	22	90
	24/8	00	06	92
	24/9	00	12	08
	24/10	00	05	38
	24/11A	00	03	56
	24/4	00	46	11
	28/2A	00	01	99
	28/2B	00	00	67
	29/5	00	10	35
	29/6	00	05	59
	29/7	00	01	79
	29/12	00	02	34
	29/10	00	01	78
	29/9	00	15	41

1	2	3	4	5
3) Raparla (Contd)	29/11	00	17	12
	30/1	00	09	69
	30/2A	00	07	71
	30/3A	00	00	81
	30/3B	00	00	10
	33/2A	00	00	30
	33/1	00	02	51
	33/4A	00	00	36
	35/1	00	02	37
	35/2	00	27	83
	49/3	00	03	08
	50/2	00	01	82
	50/4	00	07	61
	50/3	00	06	30
	50/1J	00	21	77
	50/1I	00	00	85
	50/7A	00	00	64
	50/1H	00	12	17
	50/1G	00	07	85
	50/1D	00	00	17
	50/1E	00	10	12
	50/1F	00	09	25
	50/6	00	02	90
	52/1	00	07	16
	52/2	00	45	35
	53/2	00	00	31
	53/1	00	14	42
	54/1	00	00	10
	57/4	00	08	53
	57/3	00	09	91
	57/2	00	07	36
	57/5B	00	00	84
	57/5A	00	18	93
	57/6	00	13	60
	59/2	00	05	73
	59/3	00	14	50
	29/3	00	01	03
	35/3	00	02	64

Mandal/Tehsil/Taluk: Movva	District: Krishna	State: Andhra Pradesh
1) Bhatlapenumarru	512	00 26 73
	517	00 05 52
	533	00 14 05
	557	00 02 73

1	2	3	4	5
1) Bhatlapenumarru (Contd)	562	00	10	38
	563	00	24	09
	564	00	04	92
	579	00	10	18
	513/2	00	33	03
	511/2	00	08	16
	511/1	00	25	26
	511/3	00	00	75
	510/4	00	01	00
	510/2	00	00	67
	520/2	00	02	55
	520/1	00	28	08
	534/1	00	30	35
	540/2	00	15	99
	540/1	00	26	29
	540/3	00	00	80
	539/1	00	04	55
	539/2	00	01	63
	539/3	00	05	56
	539/4	00	03	95
	565/3	00	29	48
	565/4	00	00	10
	561/2	00	21	14
	554/1	00	00	10
2) Barlapudi	7	00	47	84
	10	00	04	95
	Road in Gat No.10	00	02	84
	91	00	13	04
	River in Gat No.91	00	06	09
	102	00	06	54
	13/1	00	00	64
	13/2A	00	21	16
	13/2B	00	03	12
	13/3A	00	01	42
	13/3B	00	18	83
	15/1B	00	05	28
	15/1A	00	23	37
	16/2A	00	18	10
	16/1	00	21	08
	17/5	00	00	32
	17/6A	00	27	09
	17/4B	00	00	10

1	2	3	4	5
2) Barlapudi (Contd)	27/1	00	13	90
	27/2	00	12	22
	27/3	00	02	69
	28/2	00	00	88
	28/1	00	01	88
	94/1B	00	03	33
	94/1A	00	12	06
	94/2	00	08	14
	95/4A	00	04	12
	95/4B	00	19	60
	95/3B	00	00	10
	101/1	00	21	97
	103/2	00	00	10

Mandal/Tehsil/Taluk:Pamidimukkala	District:Krishna	State:Andhra Pradesh		
1) Mamillapalle	111/14	00	00	35
	111/15	00	04	12
	111/18	00	07	63
	111/19	00	10	79
	111/20	00	03	92
	111/21	00	12	99
	111/23	00	07	26
	111/24	00	00	76
	111/22	00	20	14
	111/27	00	07	48
	111/11	00	07	94
	111/10	00	10	21
	111/8	00	00	10
	111/06	00	00	35
	111/7	00	10	45
	110/19	00	06	83
2) Penumutsa	14	00	30	33
	17	00	05	03
	Nala in Gat No.17	00	04	42
	8/6	00	00	40
	8/5	00	00	46
	15/3	00	00	33
	15/2	00	12	92
	15/1	00	19	61
	13/2	00	04	28
	18/2	00	14	53
	18/1	00	30	78
	25/2	00	04	14
	25/1	00	31	74

1	2	3	4	5
3) Krishnapuram	148	00	27	13
	149	00	01	58
	150	00	28	70
	154	00	08	36
	170	00	08	42
	182	00	09	95
	331	00	49	81
	332	00	09	94
	335	00	11	22
	336	00	00	98
	343	00	06	13
	347	00	09	43
	329/2	00	05	61
	334/3	00	43	78
	334/2	00	00	99
	334/1	00	11	12
	360/1	00	07	10
	359/1	00	00	97
	359/2	00	31	78
	358/2	00	08	22
	358/1	00	15	24
	352/2	00	26	35
	352/1	00	03	87
	352/3	00	13	41
	351/2	00	01	70
	349/7	00	07	68
	349/8	00	35	23
	349/5	00	05	75
	344/1	00	13	20
	344/2	00	31	52
	344/3	00	02	89
	183/3	00	20	53
	184/5	00	00	10
	181/1	00	13	58
	181/2	00	23	60
	166/2	00	07	73
	166/1	00	05	80
	172/7	00	03	12
	155/1	00	16	18
	155/2	00	00	10
	155/4	00	06	87
	155/3	00	02	10

1	2	3	4	5
3) Krishnapuram (Contd)	155/5	00	00	10
	155/6	00	11	01
	153/2	00	39	62
	153/1	00	08	84
	151/1	00	03	80
	147/3	00	19	25
	147/4	00	26	08
	146/4	00	21	80
	144/4	00	12	77
4) Choragudi	7	00	14	58
	32	00	07	76
	343	00	19	91
	6/2	00	47	20
	6/1	00	02	50
	5/8	00	37	35
	5/10	00	01	36
	5/11	00	23	91
	5/14	00	05	69
	33/1B	00	02	63
	33/2B	00	18	89
	33/4	00	01	22
	33/3	00	22	40
	344/3	00	02	69
	344/2	00	23	38
	344/1	00	19	54
	40/7	00	00	91
	40/6	00	10	36
	40/1B	00	00	67
	40/2B	00	01	45
	40/3B	00	03	55
	40/4B	00	09	31
	40/5B	00	15	50
5) Kuderu	130	00	27	30
	133	00	06	65
	192	00	05	20
	River in Gat No. 233	00	03	20
	243	00	04	88
	River in Gat No.243	00	02	69
	309	00	24	91
	233/1	00	10	85
	233/2A	00	06	00
	234/1	00	24	31

1	2	3	4	5
5) Kuderu (Contd)	235/1	00	05	19
	235/2	00	00	48
	236/5	00	12	14
	236/3	00	04	98
	236/2	00	00	10
	239/2	00	28	27
	239/1	00	10	22
	244/1	00	19	23
	245/1	00	01	44
	245/2	00	12	01
	245/3	00	00	45
	193/1	00	03	33
	190/2	00	08	79
	190/1	00	05	06
	189/1	00	05	66
	189/2	00	20	74
	189/3	00	06	91
	178/3	00	11	58
	178/2	00	03	42
	178/1	00	00	10
	178/4	00	01	96
	178/5	00	12	90
	176/2	00	16	15
	176/1	00	24	48
	175/2	00	03	84
	169/4	00	09	92
	167/5	00	07	58
	167/4	00	10	02
	167/6	00	00	56
	167/3	00	07	50
	167/2	00	00	17
	166/7	00	05	55
	166/8	00	12	57
	166/2	00	07	31
	158/5	00	11	88
	158/3	00	01	86
	158/4	00	12	67
	158/2	00	05	73
	158/1	00	03	30
	153/2	00	00	60
	153/4	00	24	81
	153/3	00	00	64

1	2	3	4	5
5) Kuderu (Contd)	153/6	00	00	53
	153/7	00	09	56
	152/4	00	14	12
	152/1	00	00	31
	152/3	00	05	54
	152/2	00	02	61
	151/4	00	08	00
	151/3	00	10	66
	151/2	00	03	67
	151/1	00	00	49
	151/6	00	01	73
	146/6	00	03	23
	146/5	00	05	84
	146/4	00	06	10
	146/2	00	06	82
	146/3	00	03	87
	347/12	00	03	06
	347/11	00	11	35
6) Inapuru	31	00	41	13
	97	00	09	94
7) Lankapalli	River in Gat No.4	00	05	67
	144	00	28	98
	154	00	04	86
	In bet Gat no. 145 & VB	00	04	83
	155/13	00	02	91
	155/9	00	11	28
	155/5	00	05	02
	155/4	00	00	10
	155/8	00	04	98
	155/6	00	00	70
	157/7	00	09	07
	157/3	00	20	07
	157/8	00	00	62
	4/B	00	00	58

1	2	3	4	5
7) Lankapalli (Contd)	4/A	00	10	32

[F. No. L-14014/19/2009-GP]
SNEH P. MADAN, Under Secy.

नई दिल्ली, 19 जून, 2010

का. आ. 2116.—भारत सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 1854, तारीख 25 जून, 2009 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, देश के विभिन्न हिस्सों में स्थित उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा विजयवाड़ा-नेल्लोर-चेन्नई गैस पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के लिए अपने आशय की घोषणा की थी;

और, उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 19 मार्च, 2010 को अथवा उससे पूर्व उपलब्ध करा दी गई थीं;

और, पाइपलाइन बिछाने के संबंध में जनता की ओर से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और अननुज्ञात कर दिया गया;

और, सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है;

और, भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन का विनिश्चय किया है;

अतः, अब, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से भारत सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, में निहित होगा

अनुसूची

मंडल/ तेहसिल/ तालुक : कालीडीन्डी			जिला : कृष्णा		राज्य : आन्ध्र प्रदेश		
गाँव का नाम			सर्वे सं/सब डिविजन सं		आर ओ यू अर्जित करने के लिए क्षेत्रफल		
					हेक्टेयर	एयर	सि एयर
1			2		3	4	5
1) कोन्डंगी	1				00	03	70
	गट नंबर 1 में उप्पुटेरु नदी				00	02	03
2) अमरावती	1				00	28	42
	2				00	32	00
	3				00	15	28
	4				00	11	75
3) कालीडीन्डी	136				00	03	98
	137				00	32	43
	154				00	29	34
	172				00	94	11
	174				00	12	95
	806				00	11	33
	1004				00	33	11
	1007				00	07	14
	1009				00	10	57
	1010				00	01	14
	1020				00	23	64
	1021				00	04	33
	1023				00	49	33
	1222				00	17	45
	1223				00	00	80
	1224				00	20	89
	1228				00	02	75
	1230				00	19	06
	1232				00	15	43
	1249				00	56	46
	1251				00	27	99
	1272				00	08	98
	1274				00	60	08
	1276				00	10	50
	132/2				00	03	29
	132/3				00	01	81
	133/1ए				01	44	40
	138/1				00	29	25
	138/2				00	23	44
	155/3				00	00	10
	155/2				00	02	74

1	2	3	4	5
3) कालीडीन्डी (निरंतर)	155/1	00	09	03
	645/4	00	23	32
	645/2	00	35	94
	645/1	00	10	68
	656/1	00	18	56
	657/2	00	03	00
	657/1	00	02	35
	660/1	00	09	65
	660/2	00	08	00
	794/बी2	00	02	66
	796/2	00	18	94
	796/1	00	21	30
	796/3	00	00	33
	807/6सी	00	00	12
	807/6बी	00	00	55
	807/6ए	00	00	70
	807/5	00	00	46
	807/4	00	00	50
	807/3	00	01	00
	807/2	00	01	00
	807/1	00	00	50
	812/1बी	00	63	55
	812/1ए	00	57	13
	813/1	00	13	33
	813/2	00	03	78
	830/4	00	44	57
	854/2	00	02	39
	854/1	00	16	56
	855/3	00	22	49
	855/2	00	00	10
	855/1	00	35	88
	856/2	00	19	59
	856/1	00	39	53
	857/5	00	10	78
	857/4	00	09	28
	857/3सी	00	00	32
	857/3डी	00	06	84
	857/3ए	00	15	28
	857/2	00	11	48
	857/1	00	13	45
	858/2	00	00	10
	858/3	00	44	72

1	2	3	4	5
3) कालीडीन्डी (निरंतर)	858/1	00	25	29
	863/2	00	00	28
	863/3	00	00	50
	863/4	00	14	69
	1017/1	00	24	51
	1017/2	00	18	85
	1218/1	00	11	44
	1218/2	00	10	63
	1218/3	00	08	46
	1219/3	00	23	86
	1219/2	00	10	90
	1229/4	00	13	62
	1229/3	00	19	68
	1229/2	00	20	18
	1229/1	00	11	76
	1231/5	00	06	11
	1231/4	00	06	17
	1231/1	00	06	01
	1231/6	00	23	35
	1233/1	00	09	36
	1233/2	00	10	46
	1250/2	00	24	24
	1271/2	00	14	35
	1271/1	00	43	52
	1273/1	00	00	10
	1273/2	00	01	26
4) सनासुद्रावरम	415	00	35	25
	420	00	17	85
	421	00	18	16
	424	00	06	58
	426	00	04	54
	428	00	09	73
	423/2	00	08	38
	423/1	00	06	89
	422/5	00	09	48
	422/4	00	05	28
	422/3	00	03	62
	422/2	00	05	35
	422/1	00	04	49
	419/5	00	03	23
	419/4	00	03	53
	419/3	00	03	64

1	2	3	4	5
4) सनारुद्रावरम (निरंतर)	419/2	00	03	37
	419/1	00	03	70
	418/7	00	04	58
	418/6	00	04	54
	418/5	00	02	33
	418/4	00	02	37
	418/3	00	03	11
	418/2	00	03	89
	418/1	00	03	79
	417/4	00	03	70
	417/3	00	12	55
	417/2	00	04	66
	417/1	00	05	41
	416/3	00	05	98
	416/2	00	06	95
	416/1	00	06	84
	414/3	00	07	43
	414/2	00	08	59
	414/1	00	08	15
	413/4	00	18	66
	413/3	00	05	02
5) कोरुकोल्लु	73	00	01	96
	340	00	21	67
	345	00	37	19
	359	00	53	71
	360	00	05	65
	361	00	40	18
	371	00	06	37
	372	00	08	72
	374	00	42	11
	378	00	20	70
	380	00	23	91
	381	00	84	28
	382	00	06	96
	383	00	34	66
	384	00	10	43
	386	00	49	72
	379/1	00	00	13
	379/2	00	00	10
	375/1	00	40	65
	367/4	00	00	36
	367/3	00	00	40

1	2	3	4	5
5) कोरुकोल्लु (निरंतर)	367/2	00	00	40
	367/1	00	00	40
	344/1बी	00	03	62
	339/2	00	07	24
	339/1ए	00	12	41
	72/1	00	02	15
	72/2	00	02	46
	71/2	00	10	27
	71/1	00	35	51
	70/3	00	12	04
	70/2	00	07	03
	70/1	00	09	44
	68/बी	00	17	24
	68/ए	00	17	16
	63/6	00	31	13
	63/5	00	03	99
	63/4	00	03	07
	63/3	00	03	36
	63/2	00	02	84
	63/1	00	02	17
	62/6	00	02	52
	62/5	00	01	98
	62/4	00	02	25
	62/3	00	02	06
	62/2	00	06	21
	62/1	00	13	90
6) अवाकुरु	गट नंबर 9 में धर्मा चेरुवु	00	01	76
	48	00	08	62
	गट नंबर 48 में नाला	00	04	00
	65	00	09	78
	75	00	07	33
	88	00	05	15
	93	00	07	05
	92/1बी	00	13	82
	92/2	00	16	62
	87/1	00	22	41
	86/4	00	00	20
	85/6	00	11	54
	85/5	00	09	90
	85/3	00	04	19
	85/2	00	04	40
	85/1	00	03	99

1	2	3	4	5
6) अवाकुरु (निरंतर)	84/3	00	13	87
	84/2	00	11	84
	84/1	00	15	76
	74/1बी	00	03	16
	74/1ए	00	24	43
	73/1ए	00	00	30
	73/1बी	00	00	20
	73/1सी	00	05	47
	72/2ए	00	08	15
	72/2बी	00	00	10
	72/1	00	21	39
	64/7	00	05	16
	64/6	00	07	57
	64/1	00	03	02
	64/2	00	03	70
	64/3	00	02	13
	64/4	00	01	55
	64/5	00	00	44
	9/4	00	39	80
	9/3	00	11	05
	8/1सी	00	02	32
	8/2	00	04	42
	8/3	00	00	42
	6/11बी	00	00	20
	6/12ए	00	00	14
	4/3	00	13	52
	4/2	00	04	21
7) कोच्चेर्ला	15	00	20	88
	20	00	10	87
	16/7सी	00	12	26
	16/5	00	13	17
	16/4बी	00	10	61
	16/4ए	00	02	37
	16/1बी	00	03	58
	16/1ए	00	06	52
	21/8	00	00	70
	21/9	00	05	70
	21/7	00	02	70
	21/1	00	04	74
	21/2	00	01	80
	21/4	00	00	10
	21/5	00	07	17

1	2	3	4	5
7) कोच्चेर्ला (निरंतर)	21/6	00	01	55
मंडल/ तेहसिल/ तालुक : मुदीनेपल्लि	जिला : कृष्णा	राज्य : आन्ध्र प्रदेश		
1) मुलकलपल्लि	51	00	65	81
	54	00	36	74
	119	00	19	93
	120	00	18	65
	127	00	02	51
	22/3	00	06	49
	22/1बी	00	01	84
	22/1ए	00	07	36
	23/3	00	07	20
	23/2	00	08	25
	23/1	00	20	81
	34/3	00	01	14
	34/2ए	00	05	00
	34/1	00	01	17
	34/2बी	00	00	20
	35/3	00	22	02
	35/2	00	17	02
	39/सी	00	14	93
	39/बी	00	27	57
	39/ए	00	03	37
	40/1	00	22	85
	43/3ए	00	02	95
	43/3बी	00	03	85
	43/2	00	06	57
	43/1बी	00	10	15
	43/1ए	00	03	82
	44/6	00	01	83
	44/8	00	04	86
	44/5	00	00	70
	44/4	00	01	57
	44/3	00	13	55
	44/2	00	07	15
	44/7ए	00	04	81
	44/7बी	00	02	23
	56/2	00	16	97
	56/1	00	11	83
	60/4	00	00	40
	60/3बी	00	13	28
	60/2	00	12	01
	109/3सी	00	10	64
	109/2बी	00	09	69

1	2	3	4	5
1) मुल्कलपल्लि (निरंतर)	109/4	00	02	97
	113/3सी	00	06	67
	113/2	00	06	83
	113/1	00	06	40
	114/1	00	09	85
	114/2ए	00	10	23
	116/1बी	00	03	79
	116/2	00	17	62
	116/3	00	19	51
	116/4ए	00	14	12
	123/3ए	00	09	70
	123/3बी	00	01	73
	123/2बी	00	04	88
	123/2ए	00	05	48
	123/1	00	10	42
	124/5	00	04	96
	124/4	00	04	64
	124/3	00	09	65
	124/2बी	00	06	49
	124/2ए	00	06	22
	124/1	00	06	24
	125/4	00	24	39
	125/3	00	08	11
2) बोम्बिनमपाडु	423	00	14	77
	426	00	78	91
	432	00	07	56
	435	00	59	99
	443	00	58	11
	445	00	07	20
	452	00	66	41
	461	00	92	92
	468	00	06	27
3) कोरगुन्टपालेम	125	00	07	57
	139	00	02	47
	121/5	00	02	05
	121/4	00	32	87
	121/6	00	05	62
	121/7	00	02	75
	121/3	00	02	95
	134/1डी	00	02	11
	134/2	00	00	55
	134/3	00	10	38

1	2	3	4	5
3) कोरगुन्टपालेम (निरंतर)	134/1वी	00	00	10
	135/1	00	00	61
	135/4	00	08	65
	135/2	00	43	10
	135/3	00	01	42
	135/5	00	00	60
4) इडेपल्ले	गट नंबर 52 में नदी	00	03	06
	53	00	07	29
	गट नंबर 53 में नदी	00	00	40
	62	00	07	16
	गट नंबर 62 में नदी	00	02	29
	67	00	35	33
	68	00	16	09
	69	00	20	49
	94	00	00	10
	51/4	00	35	96
	51/2सी	00	01	42
	73/1	00	25	51
	76/1ए	00	44	09
	90/3	00	05	50
	90/1	00	09	16
	90/2	00	01	68
	91/1	00	17	67
	92/2वी	00	05	96
	92/2ए	00	19	45
	92/1सी	00	00	10
	92/1वी	00	03	03
	92/1ए	00	15	75
	95/3डी	00	11	45
	95/3सी	00	10	53
	95/3वी	00	10	59
	95/3ए	00	14	41
	96/1	00	10	13
	96/2	00	00	10
	97/2	00	04	87
	97/1	00	34	51
5) पेदगोन्नूरु	6	00	74	77
	20	00	05	63
	32	00	09	02
	33	00	03	44
	34	00	29	08
	53	00	08	86

1	2	3	4	5
5) पेदगोनूरु (निरंतर)	55	00	76	47
	62	00	15	38
	गट नंबर 62 में पेदावल्लिका चेखु	00	26	10
	71	00	10	12
	93	00	18	68
	94	00	08	63
	571	00	13	22
	577	00	27	77
	579	00	14	86
	586	00	11	01
	21/2	00	10	82
	21/1बी	00	15	20
	22/2	00	02	63
	22/3	00	23	62
	23/2	00	26	67
	29/1	00	25	28
	29/2	00	06	55
	46/1	00	07	14
	46/2	00	01	02
	49/1	00	25	76
	56/1	00	21	02
	56/2	00	01	04
	56/3	00	05	88
	56/4	00	02	50
	57/3	00	00	62
	57/4	00	04	95
	61/2डी	00	00	90
	61/3	00	05	25
	61/4	00	02	56
	61/5	00	10	05
	61/6	00	01	49
	61/7	00	01	21
	61/8	00	00	39
	70/1	00	12	60
	70/2	00	07	76
	70/3	00	05	79
	70/4	00	01	35
	72/4ए	00	11	10
	72/4बी	00	00	10
	72/3	00	12	13
	72/2	00	08	30
	72/1	00	01	22

1	2	3	4	5
5) पेदगोनूरु (निरंतर)	95/1	00	03	50
	95/2	00	00	89
	95/3	00	05	33
	95/4	00	00	99
	95/7	00	00	11
	564/1	00	03	60
	564/2	00	03	40
	570/4	00	00	26
	570/5	00	15	43
	570/6	00	10	71
	570/7	00	03	30
	570/9	00	01	99
	570/10	00	01	88
	570/11	00	02	15
	570/12	00	03	82
	572/31	00	09	52
	572/32	00	01	20
	572/18	00	00	72
	572/19	00	04	08
	572/30	00	08	38
	572/20	00	08	00
	572/29	00	04	76
	572/21	00	09	91
	572/28	00	01	10
	572/14	00	01	34
	572/13	00	04	64
	572/22	00	07	32
	572/12	00	08	22
	572/23	00	04	09
	572/24	00	00	80
	572/10	00	01	36
	572/11	00	09	81
	573/1	00	11	14
	573/2	00	06	00
	573/3	00	08	00
	578/1	00	02	69
	578/2	00	03	70
	578/3	00	12	96
	578/4	00	10	00
	578/5	00	03	77
	578/6	00	05	41
	578/7	00	01	70

1	2	3	4	5
5) पेदगोनूरु (निरंतर)	578/8	00	01	57
	578/9	00	00	98
	580/3	00	00	22
	580/4	00	11	89
	580/5	00	10	14
	581/1	00	04	54
	581/5	00	00	89
6) कोमरु	160/7	00	01	33
	161	00	64	51
	167	00	41	10
	162/1	00	31	63
	162/2	00	09	09
	162/3	00	09	63
	162/4	00	50	66
7) चेवूरु	गट नंबर 92 में चेरुवु	00	00	10
	43	00	77	41
	गट नंबर 43 में तलाब	00	01	87
	46	00	34	09
	48	00	05	24
	49	00	14	16
	गट नंबर 49 में नाला	00	04	79
	51	01	00	55
	52	00	04	76
	102	00	03	94
	103	00	10	70
	107	00	10	08
	62/1ए	00	04	38
	62/1बी	00	01	09
	45/3	00	15	22
	45/2	00	05	65
	45/1	00	21	73
	44/2	00	10	63
	42/3	00	01	35
	88/1	00	07	41
	88/2	00	03	63
	88/4	00	01	80
	39/2ए	00	09	93
	39/1	00	09	38
	39/2बी	00	07	00
	92/3बी	00	02	85
	92/3ए	00	02	59
	92/2	00	02	68

1	2	3	4	5
7) चेवूरु (निरंतर)	90/1	00	12	98
	91/1	00	14	44
	91/2	00	22	77
	109/4	00	01	39
	109/3	00	03	09
	109/2	00	26	04
	109/1	00	01	22
	110/1	00	11	77
	110/2	00	03	54
	110/3	00	00	72
	101/1	00	15	49
	101/2	00	36	20
	101/3	00	03	80
	94/2	00	00	43
8) काकरवाडा	2	00	02	80
	गट नंबर 2 में नाला	00	01	45
	4	00	37	61
	6	00	03	91
	5/1	00	15	60
	5/2	00	05	43
	8/4ए	00	03	81
	8/4बी	00	02	10
	9/4	00	08	05
	9/3	00	08	62
	9/5	00	00	50
	9/6ए	00	08	72
	9/2ए	00	00	16
	9/2बी	00	01	42
	10/1	00	08	93
	10/2ए	00	19	42
	10/2बी	00	03	27
	11/1बी/1	00	05	56
	11/1बी/2	00	00	46
	16/1	00	27	18
	17/1	00	02	63
	17/2	00	08	87
	17/3	00	21	30
	18/1	00	03	92
	19/1	00	10	25
	19/2	00	10	75
	19/3/2	00	04	40
	19/3/1	00	05	78

1	2	3	4	5
8) काकरवाड़ा (निरंतर)	19/4	00	09	97
	19/5	00	01	80
	20/1	00	41	94
	84/1	00	18	76
	16/2	00	13	04
	20/2	00	00	10
9) मुदीनेपल्लि	360	00	49	99
	362	00	22	03
	366	00	03	32
	गट नंबर 369 में नाला	00	02	66
	374	00	08	88
	376	00	17	97
	382	00	00	15
	388	00	34	04
	391	00	16	04
	395/1	00	00	15
	394/1	00	01	32
	394/2	00	00	10
	394/3	00	08	98
	394/4सी	00	11	95
	394/4बी	00	00	10
	394/4ए	00	01	11
	394/4वी	00	10	87
	394/5	00	04	08
	393/1	00	02	99
	393/3ए	00	01	56
	379/2	00	30	54
	378/1	00	03	02
	378/2बी	00	29	72
	377/2	00	13	66
	373/1बी	00	07	38
	373/2	00	23	82
	373/3	00	05	60
	372/1	00	00	14
	363/2	00	22	85
	359/1	00	26	98
	359/2	00	02	01
10) पेनुमल्लि	38	00	37	50
	40	00	06	38
	92	00	13	54
	99	00	10	12
	103	00	02	57

1	2	3	4	5
10) पेनुमल्लि (निरंतर)	123	00	00	62
	गट नंबर 124 में रास्ता	00	08	12
	33/1	00	00	10
	33/2	00	18	51
	34/1सी	00	00	50
	34/3	00	61	57
	39/1	00	02	28
	39/2	00	04	98
	39/3	00	02	74
	39/4	00	03	18
	43/9	00	11	97
	43/8	00	00	49
	43/10	00	00	77
	43/7	00	05	91
	43/6	00	00	50
	43/5	00	16	50
	43/4	00	16	57
	44/1ए	00	00	50
	44/3ए	00	02	07
	44/3बी	00	06	27
	44/5	00	02	40
	44/6ए	00	01	34
	44/1सी	00	00	10
	44/2ए	00	02	46
	44/6बी	00	01	92
	44/2बी	00	05	31
	44/8ए	00	04	17
	44/8बी	00	01	86
	44/9	00	01	31
	44/4	00	07	07
	45/1	00	00	47
	45/2	00	00	12
	96/1	00	01	97
	97/1ए	00	18	64
	97/1बी	00	04	97
	97/3	00	02	24
	97/2ए	00	06	78
	97/2बी	00	06	44
	98/3	00	09	32
	98/2	00	07	56
	98/1	00	01	33
	102/3	00	10	70

1	2	3	4	5
10) पेनुमल्लि (निरंतर)	10 2/1	00	02	55
	108/3	00	00	10
	108/4	00	01	74
	108/5	00	09	32
	120/4	00	08	05
	120/2की	00	00	41
	121/3	00	03	92
	121/1	00	15	67
	121/2	00	28	71
	122/3	00	02	99
	122/2	00	27	79
	122/1	00	04	29
	124/2	00	02	01
	124/1	00	01	65
	125/1	00	03	10
	125/4	00	02	54
	125/2	00	34	68
	125/3ए	00	02	26
	126/1	00	00	40
	126/2	00	00	73
	42/5	00	01	96

11) सन्कर्शनापुरम	33	00	01	72
	34	00	05	10
	52	00	58	85
	57	00	11	86
	60	00	06	85
	62	00	00	26
	36/1	00	02	85
	36/2	00	16	09
	49/1	00	07	22
	49/5	00	00	50
	50/1	00	11	24
	50/3	00	00	96
	50/2	00	26	72
	51/1	00	03	77
	58/1	00	12	78

1	2	3	4	5
11) सन्कशनापुरम (निरंतर)	59/2ए 59/1	00 00	03 35	10 00

[फा सं. एल.-14014/19/2009-जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 19th June. 2010

S. O. 2116.—[Whereas by notification of Government of India in the Ministry of Petroleum and Natural Gas number S.O. 1854, dated the 25th June, 2009, issued under sub-section (1) of section 3 of Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Government of India declared its intention to acquire the Right of User in the land specified in the Schedule appended to that notification for the purpose of laying Vijayawada-Nellore-Chennai Gas pipeline for transportation of natural gas by M/s. Relogistics Infrastructure Limited to the consumers in various parts of the country.

And, whereas, copies of the said Gazette notification were made available to the public on or before 19th March, 2010;

And, whereas, objections received from the public to the laying of the pipeline have been considered and disallowed by the Competent Authority;

And, whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted its report to the Government of India;

And, whereas, Government of India, after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the Right of User therein;

Now, therefore, in exercise of powers conferred by sub-section (1) of section 6 of the said Act, Government of India hereby declares that the Right of User in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, Government of India hereby directs that the Right of User in the said land for laying the pipelines shall, instead of vesting in Government of India, vest, on the date of publication of the declaration, in M/s. Relogistics Infrastructure Limited, free from all encumbrances.

Schedule

Mandal/Tehsil/Taluk:Kalidindi		District:Krishna		State:Andhra Pradesh	
Village	Survey No./Sub-Division No.	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Kondangi	1	00	03	70	
	Upputeru River in Gat No.1	00	02	03	
2) Amaravati	1	00	28	42	
	2	00	32	00	
	3	00	15	28	
	4	00	11	75	
3) Kalidindi	136	00	03	98	
	137	00	32	43	
	154	00	29	34	
	172	00	94	11	
	174	00	12	95	
	806	00	11	33	
	1004	00	33	11	
	1007	00	07	14	
	1009	00	10	57	
	1010	00	01	14	
	1020	00	23	64	
	1021	00	04	33	
	1023	00	49	33	
	1222	00	17	45	
	1223	00	00	80	
	1224	00	20	89	
	1228	00	02	75	
	1230	00	19	06	
	1232	00	15	43	
	1249	00	56	46	
	1251	00	27	99	
	1272	00	08	98	
	1274	00	60	08	
	1276	00	10	50	
	132/2	00	03	29	
	132/3	00	01	81	
	133/1A	01	44	40	
	138/1	00	29	25	
	138/2	00	23	44	
	155/3	00	00	10	
	155/2	00	02	74	

1	2	3	4	5
3) Kalidindi (Contd)	155/1	00	09	03
	645/4	00	23	32
	645/2	00	35	94
	645/1	00	10	68
	656/1	00	18	56
	657/2	00	03	00
	657/1	00	02	35
	660/1	00	09	65
	660/2	00	08	00
	794/B2	00	02	66
	796/2	00	18	94
	796/1	00	21	30
	796/3	00	00	33
	807/6C	00	00	12
	807/6B	00	00	55
	807/6A	00	00	70
	807/5	00	00	46
	807/4	00	00	50
	807/3	00	01	00
	807/2	00	01	00
	807/1	00	00	50
	812/1B	00	63	55
	812/1A	00	57	13
	813/1	00	13	33
	813/2	00	03	78
	830/4	00	44	57
	854/2	00	02	39
	854/1	00	16	56
	855/3	00	22	49
	855/2	00	00	10
	855/1	00	35	88
	856/2	00	19	59
	856/1	00	39	53
	857/5	00	10	78
	857/4	00	09	28
	857/3C	00	00	32
	857/3D	00	06	84
	857/3A	00	15	28
	857/2	00	11	48
	857/1	00	13	45
	858/2	00	00	10
	858/3	00	44	72

1	2	3	4	5
3) Kalidindi (Contd)	858/1	00	25	29
	863/2	00	00	28
	863/3	00	0	50
	863/4	00	.4	69
	1017/1	00	24	51
	1017/2	00	18	85
	1218/1	00	11	44
	1218/2	00	10	63
	1218/3	00	08	46
	1219/3	00	23	86
	1219/2	00	10	90
	1229/4	00	13	62
	1229/3	00	19	68
	1229/2	00	20	18
	1229/1	00	11	76
	1231/5	00	06	11
	1231/4	00	06	17
	1231/1	00	06	01
	1231/6	00	23	35
	1233/1	00	09	36
	1233/2	00	10	46
	1250/2	00	24	24
	1271/2	00	14	35
	1271/1	00	43	52
	1273/1	00	00	10
	1273/2	00	01	26
4) Sanarudravaram	415	00	35	25
	420	00	17	85
	421	00	18	16
	424	00	06	58
	426	00	04	54
	428	00	09	73
	423/2	00	08	38
	423/1	00	06	89
	422/5	00	09	48
	422/4	00	05	28
	422/3	00	03	62
	422/2	00	05	35
	422/1	00	04	49
	419/5	00	03	23
	419/4	00	03	53
	419/3	00	03	64

1	2	3	4	5
4) Sanarudravaram (Contd)	419/2	00	03	37
	419/1	00	03	70
	418/7	00	04	58
	418/6	00	04	54
	418/5	00	02	33
	418/4	00	02	37
	418/3	00	03	11
	418/2	00	03	89
	418/1	00	03	79
	417/4	00	03	70
	417/3	00	12	55
	417/2	00	04	66
	417/1	00	05	41
	416/3	00	05	98
	416/2	00	06	95
	416/1	00	06	84
	414/3	00	07	43
	414/2	00	08	59
	414/1	00	08	15
	413/4	00	18	66
	413/3	00	05	02
5) Korukollu	73	00	01	96
	340	00	21	67
	345	00	37	19
	359	00	53	71
	360	00	05	65
	361	00	40	18
	371	00	06	37
	372	00	08	72
	374	00	42	11
	378	00	20	70
	380	00	23	91
	381	00	84	28
	382	00	06	96
	383	00	34	66
	384	00	10	43
	386	00	49	72
	379/1	00	00	13
	379/2	00	00	10
	375/1	00	40	65
	367/4	00	00	36
	367/3	00	00	40

1	2	3	4	5
5) Korukollu (Contd)	367/2	00	00	40
	367/1	00	00	40
	344/1B	00	03	62
	339/2	00	07	24
	339/1A	00	12	41
	72/1	00	02	15
	72/2	00	02	46
	71/2	00	10	27
	71/1	00	35	51
	70/3	00	12	04
	70/2	00	07	03
	70/1	00	09	44
	68/B	00	17	24
	68/A	00	17	16
	63/6	00	31	13
	63/5	00	03	99
	63/4	00	03	07
	63/3	00	03	36
	63/2	00	02	84
	63/1	00	02	17
	62/6	00	02	52
	62/5	00	01	98
	62/4	00	02	25
	62/3	00	02	06
	62/2	00	06	21
	62/1	00	13	90
6) Avakuru	Dharma Cheruvu in Gat No.9	00	01	76
	48	00	08	62
	Nala in Gat No.48	00	04	00
	65	00	09	78
	75	00	07	33
	88	00	05	15
	93	00	07	05
	92/1B	00	13	82
	92/2	00	16	62
	87/1	00	22	41
	86/4	00	00	20
	85/6	00	11	54
	85/5	00	09	90
	85/3	00	04	19
	85/2	00	04	40
	85/1	00	03	99

1	2	3	4	5
6) Avakuru (Contd)	84/3	00	13	87
	84/2	00	11	84
	84/1	00	15	76
	74/1B	00	03	16
	74/1A	00	24	43
	73/1A	00	00	30
	73/1B	00	00	20
	73/1C	00	05	47
	72/2A	00	08	15
	72/2B	00	00	10
	72/1	00	21	39
	64/7	00	05	16
	64/6	00	07	57
	64/1	00	03	02
	64/2	00	03	70
	64/3	00	02	13
	64/4	00	01	55
	64/5	00	00	44
	9/4	00	39	80
	9/3	00	11	05
	8/1C	00	02	32
	8/2	00	04	42
	8/3	00	00	42
	6/11B	00	00	20
	6/12A	00	00	14
	4/3	00	13	52
	4/2	00	04	21
7) Kotcherla	15	00	20	88
	20	00	10	87
	16/7C	00	12	26
	16/5	00	13	17
	16/4B	00	10	61
	16/4A	00	02	37
	16/1B	00	03	58
	16/1A	00	06	52
	21/8	00	00	70
	21/9	00	05	70
	21/7	00	02	70
	21/1	00	04	74
	21/2	00	01	80
	21/4	00	00	10
	21/5	00	07	17

1	2	3	4	5
7) Kotcherla (Contd)	21/6	00	01	55
Mandal/Tehsil/Taluk:Mudinepalli	District:Krishna	State:Andhra Pradesh		
1) Mulakalapalli	51	00	65	81
	54	00	36	74
	119	00	19	93
	120	00	18	65
	127	00	02	51
	22/3	00	06	49
	22/1B	00	01	84
	22/1A	00	07	36
	23/3	00	07	20
	23/2	00	08	25
	23/1	00	20	81
	34/3	00	01	14
	34/2A	00	05	00
	34/1	00	01	17
	34/2B	00	00	20
	35/3	00	22	02
	35/2	00	17	02
	39/C	00	14	93
	39/B	00	27	57
	39/A	00	03	37
	40/1	00	22	85
	43/3A	00	02	95
	43/3B	00	03	85
	43/2	00	06	57
	43/1B	00	10	15
	43/1A	00	03	82
	44/6	00	01	83
	44/8	00	04	86
	44/5	00	00	70
	44/4	00	01	57
	44/3	00	13	55
	44/2	00	07	15
	44/7A	00	04	81
	44/7B	00	02	23
	56/2	00	16	97
	56/1	00	11	83
	60/4	00	00	40
	60/3B	00	13	28
	60/2	00	12	01
	109/3C	00	10	64
	109/2B	00	09	69

1	2	3	4	5
1) Mulakalapalli (Contd)	109/4	00	02	97
	113/3C	00	06	67
	113/2	00	06	83
	113/1	00	06	40
	114/1	00	09	85
	114/2A	00	10	23
	116/1B	00	03	79
	116/2	00	17	62
	116/3	00	19	51
	116/4A	00	14	12
	123/3A	00	09	70
	123/3B	00	01	73
	123/2B	00	04	88
	123/2A	00	05	48
	123/1	00	10	42
	124/5	00	04	96
	124/4	00	04	64
	124/3	00	09	65
	124/2B	00	06	49
	124/2A	00	06	22
	124/1	00	06	24
	125/4	00	24	39
	125/3	00	08	11
2) Bomminampadu	423	00	14	77
	426	00	78	91
	432	00	07	56
	435	00	59	99
	443	00	58	11
	445	00	07	20
	452	00	66	41
	461	00	92	92
	468	00	06	27
3) Korraguntapalem	125	00	07	57
	139	00	02	47
	121/5	00	02	05
	121/4	00	32	87
	121/6	00	05	62
	121/7	00	02	75
	121/3	00	02	95
	134/1D	00	02	11
	134/2	00	00	55
	134/3	00	10	38

1	2	3	4	5
3) Korraguntapalem (Contd)	134/1B	00	00	10
	135/1	00	00	61
	135/4	00	08	65
	135/2	00	43	10
	135/3	00	01	42
	135/5	00	00	60
4) Idepalle	River in Gat No.52	00	03	06
	53	00	07	29
	River in Gat No.53	00	00	40
	62	00	07	16
	River in Gat No.62	00	02	29
	67	00	35	33
	68	00	16	09
	69	00	20	49
	94	00	00	10
	51/4	00	35	96
	51/2C	00	01	42
	73/1	00	25	51
	76/1A	00	44	09
	90/3	00	05	50
	90/1	00	09	16
	90/2	00	01	68
	91/1	00	17	67
	92/2B	00	05	96
	92/2A	00	19	45
	92/1C	00	00	10
	92/1B	00	03	03
	92/1A	00	15	75
	95/3D	00	11	45
	95/3C	00	10	53
	95/3B	00	10	59
	95/3A	00	14	41
	96/1	00	10	13
	96/2	00	00	10
	97/2	00	04	87
	97/1	00	34	1
5) Peddagonnuru	6	00	74	77
	20	00	05	63
	32	00	09	02
	33	00	03	44
	34	00	29	08
	53	00	08	86

1	2	3	4	5
5) Peddagonnuru (Contd)	55	00	76	47
	62	00	15	38
	Pedaballika Cheruvu in Gat No.62	00	26	10
	71	00	10	12
	93	00	18	68
	94	00	08	63
	571	00	13	22
	577	00	27	77
	579	00	14	86
	586	00	11	01
	21/2	00	10	82
	21/1B	00	15	20
	22/2	00	02	63
	22/3	00	23	62
	23/2	00	26	67
	29/1	00	25	28
	29/2	00	06	55
	46/1	00	07	14
	46/2	00	01	02
	49/1	00	25	76
	56/1	00	21	02
	56/2	00	01	04
	56/3	00	05	88
	56/4	00	02	50
	57/3	00	00	62
	57/4	00	04	95
	61/2D	00	00	90
	61/3	00	05	25
	61/4	00	02	56
	61/5	00	10	05
	61/6	00	01	49
	61/7	00	01	21
	61/8	00	00	39
	70/1	00	12	60
	70/2	00	07	76
	70/3	00	05	79
	70/4	00	01	35
	72/4A	00	11	10
	72/4B	00	00	10
	72/3	00	12	13
	72/2	00	08	30
	72/1	00	01	22

1	2	3	4	5
5) Peddagonnuru (Contd)	95/1	00	03	50
	95/2	00	00	89
	95/3	00	05	33
	95/4	00	00	99
	95/7	00	00	11
	564/1	00	03	60
	564/2	00	03	40
	570/4	00	00	25
	570/5	00	15	43
	570/6	00	10	71
	570/7	00	03	30
	570/9	00	01	99
	570/10	00	01	88
	570/11	00	02	15
	570/12	00	03	82
	572/31	00	09	52
	572/32	00	01	20
	572/18	00	00	72
	572/19	00	04	08
	572/30	00	08	38
	572/20	00	08	00
	572/29	00	04	76
	572/21	00	09	91
	572/28	00	01	10
	572/14	00	01	34
	572/13	00	04	64
	572/22	00	07	32
	572/12	00	08	22
	572/23	00	04	09
	572/24	00	00	80
	572/10	00	01	36
	572/11	00	09	81
	573/1	00	11	14
	573/2	00	06	00
	573/3	00	08	00
	578/1	00	02	69
	578/2	00	03	70
	578/3	00	12	96
	578/4	00	10	00
	578/5	00	03	77
	578/6	00	05	41
	578/7	00	01	70

1	2	3	4	5
5) Peddagonnuru (Contd)	578/8	00	01	57
	578/9	00	00	98
	580/3	00	00	22
	580/4	00	11	89
	580/5	00	10	14
	581/1	00	04	54
	581/5	00	00	89
6) Komarru	160/7	00	01	33
	161	00	64	51
	167	00	41	10
	162/1	00	31	63
	162/2	00	09	09
	162/3	00	09	63
	162/4	00	50	66
7) Chevuru	Chervu in Gat No. 92	00	00	10
	43	00	77	41
	Pond in Gat No.43	00	01	87
	46	00	34	09
	48	00	05	24
	49	00	14	16
	Nala in Gat No 49	00	04	79
	51	01	00	55
	52	00	04	76
	102	00	03	94
	103	00	10	70
	107	00	10	08
	62/1A	00	04	38
	62/1B	00	01	09
	45/3	00	15	22
	45/2	00	05	65
	45/1	00	21	73
	44/2	00	10	63
	42/3	00	01	35
	88/1	00	07	41
	88/2	00	03	63
	88/4	00	01	80
	39/2A	00	09	93
	39/1	00	09	38
	39/2B	00	07	00
	92/3B	00	02	85
	92/3A	00	02	59
	92/2	00	02	68

1	2	3	4	5
7) Chevuru (Contd)	90/1	00	12	98
	91/1	00	14	44
	91/2	00	22	77
	109/4	00	01	39
	109/3	00	03	09
	109/2	00	26	04
	109/1	00	01	22
	110/1	00	11	77
	110/2	00	03	54
	110/3	00	00	72
	101/1	00	15	49
	101/2	00	36	20
	101/3	00	03	80
	94/2	00	00	43
8) Kakaravada	2	00	02	80
	Nala In Gat No.2	00	01	45
	4	00	37	61
	6	00	03	91
	5/1	00	15	60
	5/2	00	05	43
	8/4A	00	03	81
	8/4B	00	02	10
	9/4	00	08	05
	9/3	00	08	62
	9/5	00	00	50
	9/6A	00	08	72
	9/2A	00	00	16
	9/2B	00	01	42
	10/1	00	08	93
	10/2A	00	19	42
	10/2B	00	03	27
	11/1B/1	00	05	56
	11/1B/2	00	00	46
	16/1	00	27	18
	17/1	00	02	63
	17/2	00	08	87
	17/3	00	21	30
	18/1	00	03	92
	19/1	00	10	25
	19/2	00	10	75
	19/3/2	00	04	40
	19/3/1	00	05	78

1	2	3	4	5
8) Kakaravada (Contd)	19/4	00	09	97
	19/5	00	01	80
	20/1	00	41	94
	84/1	00	18	76
	16/2	00	13	04
	20/2	00	00	10
9) Mudinepalli	360	00	49	99
	362	00	22	03
	366	00	03	32
	Nala in Gat No. 369	00	02	66
	374	00	08	88
	376	00	17	97
	382	00	00	15
	388	00	34	04
	391	00	16	04
	395/1	00	00	15
	394/1	00	01	32
	394/2	00	00	10
	394/3	00	08	98
	394/4C	00	11	95
	394/4D	00	00	10
	394/4A	00	01	11
	394/4B	00	10	87
	394/5	00	04	08
	393/1	00	02	99
	393/3A	00	01	56
	379/2	00	30	54
	378/1	00	03	02
	378/2B	00	29	72
	377/2	00	13	66
	373/1B	00	07	38
	373/2	00	23	82
	373/3	00	05	60
	372/1	00	00	14
	363/2	00	22	85
	359/1	00	26	98
	359/2	00	02	01
10) Penumalli	38	00	37	50
	40	00	06	38
	92	00	13	54
	99	00	10	12
	103	00	02	57

1	2	3	4	5
10) Penumalli (Contd)	123	00	00	62
	Cart Track in Gat No.124	00	08	12
	33/1	00	00	10
	33/2	00	18	51
	34/1C	00	00	50
	34/3	00	61	57
	39/1	00	02	28
	39/2	00	04	98
	39/3	00	02	74
	39/4	00	03	18
	43/9	00	11	97
	43/8	00	00	49
	43/10	00	00	77
	43/7	00	05	91
	43/6	00	00	50
	43/5	00	16	50
	43/4	00	16	57
	44/1A	00	00	50
	44/3A	00	02	07
	44/3B	00	06	27
	44/5	00	02	40
	44/6A	00	01	34
	44/1C	00	00	10
	44/2A	00	02	46
	44/6B	00	01	92
	44/2B	00	05	31
	44/8A	00	04	17
	44/8B	00	01	86
	44/9	00	01	31
	44/4	00	07	07
	45/1	00	00	47
	45/2	00	00	12
	96/1	00	01	97
	97/1A	00	18	64
	97/1B	00	04	97
	97/3	00	02	24
	97/2A	00	06	78
	97/2B	00	06	44
	98/3	00	09	32
	98/2	00	07	56
	98/1	00	01	33
	102/3	00	10	70

1	2	3	4	5
10) Penumalli (Contd)	102/1	00	02	55
	108/3	00	00	10
	108/4	00	01	74
	108/5	00	09	32
	120/4	00	08	05
	120/2B	00	00	41
	121/3	00	03	92
	121/1	00	15	67
	121/2	00	28	71
	122/3	00	02	99
	122/2	00	27	79
	122/1	00	04	29
	124/2	00	02	01
	124/1	00	01	65
	125/1	00	03	10
	125/4	00	02	54
	125/2	00	34	68
	125/3A	00	02	26
	126/1	00	00	40
	126/2	00	00	73
	42/5	00	01	96
11) Sankarshana Puram	33	00	01	72
	34	00	05	10
	52	00	58	85
	57	00	11	86
	60	00	06	85
	62	00	00	26
	36/1	00	02	85
	36/2	00	16	09
	49/1	00	07	22
	49/5	00	00	50
	50/1	00	11	24
	50/3	00	00	96
	50/2	00	26	72
	51/1	00	03	77
	58/1	00	12	78

1	2	3	4	5
1) गरुगुबिल्ली (निरंतर)	141/4	00	00	65
	141/14ए	00	02	51
	141/14वी	00	01	38
	141/15ए	00	01	98
	141/15वी	00	00	10
	141/18ए	00	01	04
	140/2	00	01	58
	140/4वी	00	00	10
	140/5	00	03	66
	140/6ए	00	02	12
	140/6वी	00	00	87
	140/7	00	01	15
	140/8ए	00	02	24
	140/8वी	00	00	99
	140/9ए	00	02	01
	140/9वी	00	00	15
	140/10ए	00	01	46
	140/11ए	00	05	96
	140/11वी	00	03	92
	140/12	00	01	79
	140/13	00	00	81
	140/14ए	00	01	58
	140/15ए	00	04	00
	140/16ए	00	00	69
	139/24ए	00	00	11
	137/1ए	00	00	22
	137/1वी	00	01	15
	137/2ए	00	01	16
	137/2वी	00	01	62
	137/3ए	00	05	90
	137/3वी	00	03	77
	137/4	00	06	20
	137/5ए	00	14	33
	137/5वी	00	00	20
	137/14	00	03	54
	137/16ए	00	10	36
	137/17ए	00	01	98
	137/17वी	00	02	87
	137/18ए	00	03	14
	137/19ए	00	00	78
	138/16वी	00	00	82
	138/17	00	07	33

1	2	3	4	5
1) गरुगुविल्ली (निरंतर)	138/18वी	00	00	55
	138/19वी	00	00	10
	138/20वी	00	01	31
	138/21ए	00	07	92
	138/21वी	00	04	21
	138/22ए	00	02	05
	138/22वी	00	00	41
	138/23ए	00	01	47
	138/23वी	00	00	10
	138/24ए	00	00	12
	133/14वी	00	00	10
	133/15	00	10	12
	133/16	00	00	75
	135/1ए	00	08	95
	134/1ए	00	03	70
	135/1वी	00	00	23
	135/9ए	00	02	87
	135/10	00	00	10
	134/1वी	00	06	67
	134/2	00	05	00
	134/4	00	20	34
	134/5ए	00	00	58
	134/7	00	00	10
	94	00	00	10
	52/1	00	17	38
	52/2वी	00	06	49
	52/3	00	03	25
	53	00	00	10
	52/2ए	00	08	13
	50/5ए	00	00	76
	50/5वी	00	01	44
	50/6	00	09	06
	50/7	00	00	96
	50/9	00	28	53
	50/14	00	08	45
	50/15	00	03	66
	50/16ए	00	05	34
	51/1	00	03	83
	51/4	00	01	13
	51/5	00	00	12
	48/1वी	00	08	54
	48/2	00	07	46

1	2	3	4	5
11) Sankarshana Puram (Contd)	59/2A	00	03	10
	59/1	00	35	00

[F. No. L-14014/19/2009-GP]
SNEH P. MADAN, Under Secy.

नई दिल्ली, 22 जुलाई, 2010

का. आ. 2117.—भारत सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2648, तारीख 23 सितम्बर, 2009 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, देश के विभिन्न हिस्सों में स्थित उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा काकीनाडा-बासुदेबपुर-हावड़ा गैस पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के लिए अपने आशय की घोषणा की थी;

और, उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 22 फरवरी, 2010 को अथवा उससे पूर्व उपलब्ध करा दी गई थीं;

और, पाइपलाइन बिछाने के संबंध में जनता की ओर से कोई आक्षेप प्राप्त नहीं हुआ है;

और, सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है;

और, भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन का विनिश्चय किया है;

अतः, अब, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से भारत सरकार में निहित होने के बजाए, सभी विल्लंगों से मुक्त, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, में निहित होगा

अनुसूची

मंडल/ तेहसिल/ तालुक : लावेरू	जिला : श्रीकाकुलम	राज्य : आन्ध्र प्रदेश		
गाँव का नाम	सर्वे सं/सब डिविजन सं.	आर ओ यू अर्जित करने के लिए क्षेत्रफल		
		हेक्टेय	एयर	सि एयर
1	2	3	4	5
1) गरुगुदिल्ली	118/18	00	01	43
	118/23	00	00	52
	118/24ए	00	07	82
	118/24बी	00	06	59
	118/25	00	17	77
	सर्वे नंबर 118/18 और 120/14ए के बीच में	00	02	83
	120/1	00	11	94
	120/3	00	03	38
	120/4	00	08	36
	120/6	00	00	10
	120/7	00	00	14
	120/8	00	07	00
	120/9	00	00	96
	120/11	00	03	06
	120/12	00	04	30
	120/13	00	07	37
	120/14ए	00	06	88
	120/14बी	00	01	46
	120/15	00	00	15
	120/16	00	01	01
	123/1	00	08	34
	123/2	00	00	45
	124/1ए	00	00	17
	124/2	00	00	57
	122/3ए	00	00	10
	122/3बी	00	00	52
	122/4	00	21	89
	122/5ए	00	04	66
	122/5बी	00	00	79
	122/6ए	00	15	08
	122/6बी	00	08	08
	122/9ए	00	11	47
	141/1ए	00	00	34
	141/1बी	00	01	30
	141/2	00	04	46
	141/3ए	00	12	78
	141/3बी	00	05	26

1	2	3	4	5
3) अडपाका (निरंतर)	234/13	00	00	63
	234/14	00	10	04
	234/15	00	07	38
	234/16	00	01	17
	234/18	00	02	70
	234/33	00	01	03
	234/35	00	01	54
	234/36	00	07	25
	234/37	00	03	67
	234/38	00	01	72
	234/39	00	07	84
	235/1	00	00	10
	235/10	00	04	26
	235/11	00	05	23
	235/17	00	02	55
	235/18	00	01	17
	235/2	00	03	10
	235/25	00	00	10
	235/26	00	00	48
	235/3	00	04	08
	235/4	00	09	91
	235/5	00	02	50
	235/9	00	02	04
	235/6	00	00	15
	236/1	00	02	38
	236/2	00	00	10
	237/11	00	02	07
	237/16	00	01	16
	237/17	00	05	02
	237/18	00	09	60
	238/11	00	03	45
	238/14	00	01	16
	238/15	00	00	62
	238/16	00	15	00
	238/17	00	03	57
	238/2	00	06	79
	238/4	00	00	25
	238/5	00	06	96
	238/6	00	01	93
	239/1	00	00	11
	239/2	00	14	75
	239/3	00	15	71

1	2	3	4	5
3) अडपाका (निरंतर)	239/4	00	05	78
	239/6	00	00	15
	239/7	00	03	72
	240/1	00	47	16
	240/3	00	11	40
	241/10	00	00	96
	241/20	00	04	90
	373/19	00	00	31
	373/20	00	05	30
	373/21	00	01	23
	373/22	00	00	65
	373/23	00	03	50
	373/24	00	04	94
	373/25	00	01	89
	373/26	00	02	20
	373/27	00	03	20
	373/4	00	04	63
	373/5	00	00	10
	374/1	00	02	71
	374/19	00	00	68
	374/2	00	06	63
	374/21	00	00	16
	374/3	00	10	51
	374/6	00	10	10
	374/7	00	00	26
	375/12	00	00	85
	375/13	00	25	96
	375/2	00	00	93
	375/3	00	20	55
	375/4	00	00	48
	376/1	00	01	21
	378/1	00	01	80
	378/14	00	00	81
	378/2	00	11	61
	378/3	00	05	32
	378/4	00	00	10
	378/5	00	14	86
	378/6	00	08	47
	378/7	00	06	03
	378/8	00	03	65
	378/9	00	01	99
	378/10	00	00	16

1	2	3	4	5
1) गरुगुबिल्ली (निरंतर)	48/3	00	10	88
	48/4ए	00	04	32
	48/5	00	07	71
	47/6	00	07	23
	47/7	00	10	40
2) सिगरिकोत्तपल्ली	23/3	00	05	27
	23/1	00	04	00
	23/2	00	02	38
	6/1	00	77	66
	6/8	00	00	10
	6/7	00	01	79
	6/2	00	09	25
	6/3	00	00	10
	5/7	00	06	04
	5/20	00	01	60
	5/8	00	14	00
	5/19	00	03	98
	5/18	00	03	21
	5/9	00	00	98
	5/26	00	02	07
	5/27	00	03	17
	5/17	00	00	68
	5/16	00	03	59
	5/28	00	12	33
	4	00	04	73
	3/3	00	09	37
	3/2	00	12	88
3) अडपाका	382	00	94	05
	383	00	19	65
	186/17	00	10	00
	186/18	00	11	84
	186/16	00	05	39
	187/12	00	15	44
	187/13	00	09	76
	187/14	00	07	78
	187/16	00	00	50
	187/17	00	15	22
	187/18	00	02	50
	187/8	00	00	54
	187/9	00	07	18
	188/11	00	24	99
	188/13	00	00	85

1	2	3	4	5
3) अडपाका (निरंतर)	188/14	00	12	97
	188/15	00	04	18
	188/16	00	06	25
	188/17	00	00	87
	188/21	00	00	10
	188/7	00	04	33
	188/8	00	00	29
	191/10	00	05	85
	191/11	00	00	76
	191/15	00	04	52
	191/16	00	14	51
	191/6	00	03	62
	191/7	00	00	75
	191/9	00	10	75
	191/5	00	03	64
	191/4	00	01	94
	192/1	00	24	99
	192/2	00	00	58
	192/5	00	00	21
	193/1	00	02	12
	215/4	00	02	36
	215/5	00	18	23
	215/6	00	04	65
	216/10	00	02	38
	216/5	00	05	50
	216/3	00	00	27
	216/4	00	14	36
	216/6	00	08	53
	216/7	00	06	95
	216/8	00	05	50
	216/9	00	01	24
	230/1	00	00	73
	230/12	00	07	69
	230/13	00	02	35
	230/14	00	00	41
	230/3	00	08	06
	230/4	00	01	95
	230/7	00	09	93
	230/8	00	06	05
	232/1	00	20	75
	234/11	00	00	11
	234/12	00	00	11

1	2	3	4	5
3) अडपाका (निरंतर)	379/1	00	27	98
	379/3	00	01	74
	380/4	00	15	00
	380/5	00	13	92
	398/10	00	22	69
	398/11	00	06	05
	398/12	00	05	96
	398/18	00	02	56
	398/7	00	08	78
	398/8	00	07	30
	399/1	00	04	25
	399/2	00	01	99
	399/3	00	01	20
	399/4	00	00	26
	400	00	00	75
	401/14	00	01	20
	401/12	00	17	60
	401/16	00	03	97
	401/13	00	00	20
	402/1	00	44	83
	403/1	00	00	11
	403/2	00	00	10
	403/4	00	16	21
	403/5	00	04	36
	404/23	00	03	00
	404/24	00	00	90
	404/22	00	00	50
	404/21	00	00	95
	404/20	00	01	10
	404/17	00	00	90
	404/18	00	07	50
	404/19	00	08	10
	सर्वे नंबर 383 और 382 के बीच में	00	17	87
4) पेद्दाकोत्तपल्ली	105/19	00	02	13
	105/20	00	14	23
	105/24	00	07	90
	105/21	00	00	10
	105/22	00	00	91
	105/23	00	08	21
	106/14	00	02	50
	106/13	00	04	71
	106/12	00	04	12

1	2	3	4	5
4) पेदाकोत्तपल्ली (निरंतर)	106/11	00	06	00
	101/6बी	00	02	98
	101/6ए	00	09	87
	106/10	00	01	30
	101/5	00	03	76
	101/4	00	06	97
	101/3	00	03	19
	101/1	00	00	10
	101/2	00	12	55
	101/12	00	00	10
	101/13	00	01	68
	100/8	00	00	27
	100/10	00	12	17
	100/9	00	04	26
	99/19	00	01	11
	99/18	00	03	73
	99/16	00	07	27
	99/15	00	05	49
	99/14	00	06	37
	99/13	00	02	40
	99/10	00	00	10
	99/3	00	01	12
	99/4	00	02	15
	99/5	00	03	32
	99/8	00	01	70
	99/7	00	01	92
	99/6	00	04	66
	80/44	00	10	45
	80/43	00	06	92
	82/3	00	00	10
	82/2	00	07	97
	80/33	00	02	81
	80/32	00	00	10
	82/1	00	03	49
	82/11	00	00	57
	82/12	00	03	43
	82/13	00	07	94
	82/20	00	00	19
	82/15	00	04	26
	82/14	00	01	98
	82/16	00	02	75
	82/17	00	01	21

1	2	3	4	5
4) पेहाकोत्तपल्ली (निरंतर)	81/6	00	07	26
	81/4	00	11	70
	81/3	00	18	61
	81/2	00	03	59
	81/1	00	03	95
	50/39	00	02	04
	50/30	00	00	56
	50/31	00	02	88
	50/32	00	02	12
	50/38	00	02	94
	50/33	00	02	67
	50/37	00	03	86
	50/36	00	03	80
	50/35	00	02	17
	146/5	00	03	85
	146/6	00	01	38
	50/26	00	02	33
	146/4	00	08	74
	146/8	00	09	10
	146/3	00	08	68
	146/14	00	01	72
	146/1	00	00	93
	146/2	00	09	02
	146/15	00	01	45
	146/16	00	02	08
	146/17	00	03	97
	146/18	00	01	84
	150/13	00	14	43
	147	00	01	90
	150/33	00	00	56
	150/36	00	02	06
	150/12	00	02	73
	150/11	00	01	63
	150/39	00	04	67
	150/10	00	00	77
	150/40	00	03	63
	150/41	00	03	57
	150/42	00	00	48
	150/5	00	06	41
	150/6	00	01	03
	150/4	00	01	29
	150/43	00	11	43

1	2	3	4	5
4) पेद्दाकोत्तपल्ली (निरंतर)	150/46	00	00	78
	150/47	00	06	51
	150/58	00	01	12
	150/48	00	07	89
	150/49	00	07	79
	150/51	00	05	05
	150/52	00	00	10
	149	00	02	67
	148/5	00	00	10
	45/28	00	26	11
	45/27	00	02	98
	45/26	00	00	10
	155/3	00	03	25
	155/4	00	06	38
	155/5	00	06	05
	155/8	00	08	94
	155/9	00	01	84
	155/10	00	04	75
	155/14	00	05	12
	155/15	00	30	26
	155/16	00	03	30
	155/17	00	02	29
	155/18	00	01	29
	155/19	00	00	87
	156/1	00	00	89
	156/2	00	01	00
	156/3	00	00	15
	44/11	00	01	07
	44/12	00	10	56
	44/13	00	07	73
	44/14	00	00	19
	44/15	00	09	80
	44/16	00	03	35
	44/17	00	00	60
	33/9	00	05	04
	33/16	00	22	55
	33/17	00	03	59
	33/15	00	73	00
	33/14	00	00	10
	34/14	00	01	89
	44/22	00	02	05
	34/22	00	18	72

1	2	3	4	5
4) पेद्दाकोलपल्ली (निरंतर)	34/21	00	08	26
	34/20	00	13	31
	34/19	00	06	08
	35/4	00	08	35
	35/2	00	12	59
	37/5	00	75	27
	35/3	00	00	10
	36/6	00	00	55
	37/4	00	54	85
	37/3	00	41	43
	38/1	00	04	12

मंडल/ तेहसिल/ तालुक : पोंदूरु	जिला : श्रीकाकुलम	राज्य : आन्ध्र प्रदेश
1) लोलुगा	151	00 16 51
	152/5	00 06 48
	152/4	00 14 01
	152/3	00 03 61
	152/6	00 03 20
	152/7	00 15 43
	152/8	00 14 25
	152/9	00 03 37
	154/7	00 50 27
	155/30	00 00 43
	155/31	00 07 03
	155/32	00 02 80
	155/23	00 09 00
	155/22	00 06 38
	155/21	00 06 14
	155/20	00 03 76
	155/19	00 01 58
	155/18	00 01 03
	155/17	00 00 59
	155/16	00 02 24
	155/10	00 06 52
	155/9	00 00 71
	155/11	00 00 83
	155/15	00 02 72
	155/14	00 03 03
	155/13	00 01 88
	186/13	00 00 10
	189/4	00 35 99
	189/2	00 05 13
	189/3	00 00 55
	190/22	00 06 13

1	2	3	4	5
1) लोलुगा (निरंतर)	190/23	00	13	94
	190/15	00	00	62
	190/13	00	00	18
	190/14	00	06	03
	196/16	00	00	35
	196/12	00	02	18
	196/11	00	03	55
	196/1	00	02	59
	196/8	00	06	02
	196/9	00	03	90
	196/10	00	01	55
	196/4	00	02	17
	196/2	00	00	10
	196/3	00	00	85
	196/7	00	03	61
	196/5	00	03	02
	196/6	00	02	63
	194/27	00	00	41
	194/28	00	07	56
	194/25	00	00	55
	195	00	11	45
	193	00	00	99
	200/52	00	11	43
	200/51	00	03	07
	200/50	00	00	70
	200/54	00	20	75
	200/55	00	12	04
	203/39	00	02	79
	200/40	00	01	10
	200/39	00	09	90
	203/2	00	02	03
	203/1	00	03	03
	203/3	00	09	60
	200/38	00	00	11
	203/4	00	03	78
	203/5	00	00	81
	203/6	00	04	09
	203/8	00	00	38
	203/7	00	03	88
	201/19	00	09	53
	203/9	00	01	70
	201/20	00	00	63

1	2	3	4	5
1) लोलुगा (निरंतर)	201/46	00	03	90
	201/47	00	03	06
	201/50	00	11	52
	201/51	00	01	08
	201/49	00	08	45
	202	00	04	39
	209/15	00	08	00
	209/16	00	00	97
	209/14	00	02	09
	209/12	00	07	81
	209/7	00	07	67
	209/8	00	01	86
	209/6	00	01	39
	209/9	00	01	00
	209/1	00	00	34
	209/4	00	20	32
	210/20	00	13	95
	210/9	00	02	46
	214/15	00	00	10
	214/6	00	13	82
	214/9	00	00	11
	214/7	00	02	30
	214/4	00	03	54
	214/5	00	00	55
	214/3	00	05	60
	214/2	00	04	47
	213/22	00	00	14
	216/20	00	03	61
	215	00	06	66
	217/6	00	02	49
	217/2	00	03	69
	216/19	00	01	25
	216/18	00	03	79
	216/17	00	00	80
	217/5	00	06	07
	217/4	00	11	11
	217/3	00	02	11
	223/1	00	05	60
	233/1	00	00	25
	232/31	00	25	89
	232/1	00	01	02
	232/2	00	04	04

1	2	3	4	5
1) लोलुगा (निरंतर)	232/3	00	05	26
	232/4	00	04	87
	232/5	00	02	65
	232/6	00	02	19
	232/7	00	01	51
	232/8	00	01	09
	224/41	00	00	17
	224/42	00	03	68
	231/8	00	03	98
	231/9	00	05	72
	231/10	00	15	17
	231/6	00	02	43
	231/11	00	02	93
	231/12	00	14	97
	231/5	00	00	57
	231/13	00	01	61
	231/14	00	03	08
	231/20	00	03	00
	231/21	00	00	94
	231/15	00	05	38
	231/17	00	15	24
	231/19	00	01	05
2) वुरिंडाकंचाराम	149	00	06	52
	150/1	00	01	49
	150/4	00	03	27
	150/3	00	04	28
	148	00	06	42
	146/10	00	00	64
	146/16	00	06	62
	146/15	00	03	36
	146/14	00	01	54
	146/17	00	06	60
	146/18	00	01	75
	145/1	00	02	11
	145/2	00	00	18
	145/3	00	09	98
	145/4	00	06	67
	145/5	00	03	06
	145/6	00	01	43
	145/12	00	01	12
	145/11	00	27	43
	145/24	00	03	59

1	2	3	4	5
2) बुरिडाकंचाराम (निरंतर)	143/3	00	01	58
	143/2	00	04	61
	143/1	00	03	82
	143/7	00	04	63
	143/6	00	00	10
	143/8	00	07	26
	143/9	00	03	32
	143/10	00	00	10
	129/21	00	00	74
	129/18	00	00	76
	129/17	00	00	23
	130/14	00	04	10
	130/13	00	01	58
	130/12	00	02	95
	130/11	00	01	74
	130/10	00	01	24
	130/9	00	00	97
	130/8	00	00	53
	130/5	00	00	18
	142/10	00	00	17
	142/9	00	00	82
	142/8	00	02	39
	142/7	00	02	07
	142/6	00	02	78
	142/5	00	01	21
	142/4	00	00	64
	142/3	00	01	33
	130/15	00	02	29
	142/2	00	02	94
	142/1	00	04	11
	142/12	00	00	10
	142/16	00	02	91
	133/6	00	02	04
	133/9	00	05	58
	133/8	00	02	90
	133/10	00	12	26
	133/13	00	00	10
	133/12	00	00	42
	133/11	00	00	91
	133/4	00	03	46
	134/1	00	00	10
	134/2	00	23	05

1	2	3	4	5
2) बुरिडाकंचाराम (निरंतर)	134/6	00	00	40
	134/7	00	01	80
	121	00	04	05
	40/14	00	03	49
	40/17	00	01	86
	40/16	00	07	86
	40/15	00	14	98
	40/12	00	03	21
	40/11	00	09	00
	40/10	00	08	53
	40/9	00	01	60
	40/6	00	00	65
	40/5	00	05	43
	40/4	00	00	10
	118/4	00	01	43
	118/1	00	09	58
	118/2	00	05	41
	42/37	00	01	13
	42/38	00	02	32
	114/1	00	08	05
	114/2	00	04	98
	114/5	00	00	10
	43/18	00	00	23
	43/23	00	00	66
	43/24	00	01	33
	43/28	00	08	21
	43/31	00	00	10
	43/30	00	01	04
	43/29	00	02	49
	43/27	00	00	82
	43/26	00	00	10
	43/11	00	05	83
	113/4	00	00	10
	113/5	00	02	44
	113/6	00	09	00
	113/7	00	02	65
	113/13	00	00	65
	113/14	00	06	05
	113/15	00	04	25
	113/16	00	07	20
	113/17	00	04	30
	113/21	00	00	75

1	2	3	4	5
2) कुरिडाकंचाराम (निरंतर)	113/22	00	08	70
	113/23	00	00	60
	113/25	00	03	85
	184	00	01	71
	112	00	06	99
	181/1	00	05	85
	181/2	00	03	24
	181/3	00	00	11
	110/5	00	00	30
	110/6	00	02	10
	110/7	00	01	95
	110/8	00	08	47
	110/9	00	00	20
	110/15	00	17	90
	107/1	00	40	24
	108/5	00	04	25
	108/9	00	06	41
	108/10	00	07	25
	72/7	00	00	18
	72/6	00	10	79
	72/9	00	01	29
	72/5	00	03	86
	72/4	00	00	10
	72/11	00	04	36
	72/12	00	00	87
	71/20	00	11	14
	71/13	00	01	68
	71/14	00	03	35
	71/15	00	05	64
	71/16	00	01	83
	71/19	00	02	18
	71/18	00	05	17
	71/17	00	01	82
	71/21	00	01	25
	74/11	00	02	06
	74/10	00	06	62
	74/2	00	10	91
	74/3	00	08	84
	74/1	00	12	97
	63/20	00	09	48
	63/10	00	11	81
	63/6	00	05	44

1	2	3	4	5
2.) बुर्गिडाकंचाराम (निरंतर)	63/7	00	15	96
	63/9	00	02	70
	63/8	00	05	93
	62/11	00	06	65
	62/10	00	08	72
	62/9	00	07	52
	62/8	00	07	59
	62/7	00	05	45
	62/6	00	02	50
	77/6	00	00	20
	77/5	00	02	34
	77/3	00	03	18
	77/4	00	02	97
	77/2	00	09	42
	77/1	00	00	15
	77/7	00	08	55

[फा सं. एल.-14014/33/2009-जी.पो.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 22nd July, 2010

S. O. 2117.—Whereas by notification of Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2648, dated the 23rd September, 2009, issued under sub-section (1) of section 3 of Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Government of India declared its intention to acquire the Right of User in the land specified in the Schedule appended to that notification for the purpose of laying Kakinada-Basudebpur-Howrah Gas pipeline for transportation of natural gas by M/s. Relogistics Infrastructure Limited to the consumers in various parts of the country.

And, whereas, copies of the said Gazette notification were made available to the public on or before 22th February, 2010;

And, whereas, no objections were received from the public to the laying of the pipeline;

And, whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted its report to the Government of India;

And, whereas, Government of India, after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the Right of User therein;

Now, therefore, in exercise of powers conferred by sub-section (1) of section 6 of the said Act, Government of India hereby declares that the Right of User in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, Government of India hereby directs that the Right of User in the said land for laying the pipelines shall, instead of vesting in Government of India, vest, on the date of publication of the declaration, in M/s. Relogistics Infrastructure Limited, free from all encumbrances.

Schedule

Mandal/Tehsil/Taluk:Laveru		District:Srikakulam		State:ANDHRA PRADESH	
Village	Survey No./Sub-Division No.	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Garugubilli .	118/18	00	01	43	
	118/23	00	00	52	
	118/24A	00	07	82	
	118/24B	00	06	59	
	118/25	00	17	77	
	In bet. Svy. No. 118/18 & Svy. No. 120/14A	00	02	83	
	120/1	00	11	94	
	120/3	00	03	38	
	120/4	00	08	36	
	120/6	00	00	10	
	120/7	00	00	14	
	120/8	00	07	00	
	120/9	00	00	96	
	120/11	00	03	06	
	120/12	00	04	30	
	120/13	00	07	37	
	120/14A	00	06	88	
	120/14B	00	01	46	
	120/15	00	00	15	
	120/16	00	01	01	
	123/1	00	08	34	
	123/2	00	00	45	
	124/1A	00	00	17	
	124/2	00	00	57	
	122/3A	00	00	10	
	122/3B	00	00	52	
	122/4	00	21	89	
	122/5A	00	04	66	
	122/5B	00	00	79	
	122/6A	00	15	08	
	122/6B	00	08	08	
	122/9A	00	11	47	
	141/1A	00	00	34	
	141/1B	00	01	30	
	141/2	00	04	46	
	141/3A	00	12	78	
	141/3B	00	05	26	

1	2	3	4	5
1) Garugubilli (Contd)	141/4	00	00	65
	141/14A	00	02	51
	141/14B	00	01	38
	141/15A	00	01	98
	141/15B	00	00	10
	141/18A	00	01	04
	140/2	00	01	58
	140/4B	00	00	10
	140/5	00	03	66
	140/6A	00	02	12
	140/6B	00	00	87
	140/7	00	01	15
	140/8A	00	02	24
	140/8B	00	00	99
	140/9A	00	02	01
	140/9B	00	00	15
	140/10A	00	01	46
	140/11A	00	05	96
	140/11B	00	03	92
	140/12	00	01	79
	140/13	00	00	81
	140/14A	00	01	58
	140/15A	00	04	00
	140/16A	00	00	69
	139/24A	00	00	11
	137/1A	00	00	22
	137/1B	00	01	15
	137/2A	00	01	16
	137/2B	00	01	62
	137/3A	00	05	90
	137/3B	00	03	77
	137/4	00	06	20
	137/5A	00	14	33
	137/5B	00	00	20
	137/14	00	03	54
	137/16A	00	10	36
	137/17A	00	01	98
	137/17B	00	02	87
	137/18A	00	03	14
	137/19A	00	00	78
	138/16B	00	00	82
	138/17	00	07	33

1	2	3	4	5
1) Garugubilli (Contd)	138/18B	00	00	55
	138/19B	00	00	10
	138/20B	00	01	31
	138/21A	00	07	92
	138/21B	00	04	21
	138/22A	00	02	05
	138/22B	00	00	41
	138/23A	00	01	47
	138/23B	00	00	10
	138/24A	00	00	12
	133/14B	00	00	10
	133/15	00	10	12
	133/16	00	00	75
	135/1A	00	08	95
	134/1A	00	03	70
	135/1B	00	00	23
	135/9A	00	02	87
	135/10	00	00	10
	134/1B	00	06	67
	134/2	00	05	00
	134/4	00	20	34
	134/5A	00	00	58
	134/7	00	00	10
	94	00	00	10
	52/1	00	17	38
	52/2B	00	06	49
	52/3	00	03	25
	53	00	00	10
	52/2A	00	08	13
	50/5A	00	00	76
	50/5B	00	01	44
	50/6	00	09	06
	50/7	00	00	96
	50/9	00	28	53
	50/14	00	08	45
	50/15	00	03	66
	50/16A	00	05	34
	51/1	00	03	83
	51/4	00	01	13
	51/5	00	00	12
	48/1B	00	08	54
	48/2	00	07	46

1	2	3	4	5
1) Garugubilli (Contd)	48/3	00	10	88
	48/4A	00	04	32
	48/5	00	07	71
	47/6	00	07	23
	47/7	00	10	40
2) Sigirikottapalli	23/3	00	05	27
	23/1	00	04	00
	23/2	00	02	38
	6/1	00	77	66
	6/8	00	00	10
	6/7	00	01	79
	6/2	00	09	25
	6/3	00	00	10
	5/7	00	06	04
	5/20	00	01	60
	5/8	00	14	00
	5/19	00	03	98
	5/18	00	03	21
	5/9	00	00	98
	5/26	00	02	07
	5/27	00	03	17
	5/17	00	00	68
	5/16	00	03	59
	5/28	00	12	33
	4	00	04	73
	3/3	00	09	37
	3/2	00	12	88
3) Adapaka	382	00	94	05
	383	00	19	65
	186/17	00	10	00
	186/18	00	11	84
	186/16	00	05	39
	187/12	00	15	44
	187/13	00	09	76
	187/14	00	07	78
	187/16	00	00	50
	187/17	00	15	22
	187/18	00	02	50
	187/8	00	00	54
	187/9	00	07	18
	188/11	00	24	99
	188/13	00	00	85

1	2	3	4	5
3) Adapaka (Contd)	188/14	00	12	97
	188/15	00	04	18
	188/16	00	06	25
	188/17	00	00	87
	188/21	00	00	10
	188/7	00	04	33
	188/8	00	00	29
	191/10	00	05	85
	191/11	00	00	76
	191/15	00	04	52
	191/16	00	14	51
	191/6	00	03	62
	191/7	00	00	75
	191/9	00	10	75
	191/5	00	03	64
	191/4	00	01	94
	192/1	00	24	99
	192/2	00	00	58
	192/5	00	00	21
	193/1	00	02	12
	215/4	00	02	36
	215/5	00	18	23
	215/6	00	04	65
	216/10	00	02	38
	216/5	00	05	50
	216/3	00	00	27
	216/4	00	14	36
	216/6	00	08	53
	216/7	00	06	95
	216/8	00	05	50
	216/9	00	01	24
	230/1	00	00	73
	230/12	00	07	69
	230/13	00	02	35
	230/14	00	00	41
	230/3	00	08	06
	230/4	00	01	95
	230/7	00	09	93
	230/8	00	06	05
	232/1	00	20	75
	234/11	00	00	11
	234/12	00	00	11

1	2	3	4	5
3) Adapaka (Contd)	234/13	00	00	63
	234/14	00	10	04
	234/15	00	07	38
	234/16	00	01	17
	234/18	00	02	70
	234/33	00	01	03
	234/35	00	01	54
	234/36	00	07	25
	234/37	00	03	67
	234/38	00	01	72
	234/39	00	07	84
	235/1	00	00	10
	235/10	00	04	26
	235/11	00	05	23
	235/17	00	02	55
	235/18	00	01	17
	235/2	00	03	10
	235/25	00	00	10
	235/26	00	00	48
	235/3	00	04	08
	235/4	00	09	91
	235/5	00	02	50
	235/9	00	02	04
	235/6	00	00	15
	236/1	00	02	38
	236/2	00	00	10
	237/11	00	02	07
	237/16	00	01	16
	237/17	00	05	02
	237/18	00	09	60
	238/11	00	03	45
	238/14	00	01	16
	238/15	00	00	62
	238/16	00	15	00
	238/17	00	03	57
	238/2	00	06	79
	238/4	00	00	25
	238/5	00	06	96
	238/6	00	01	93
	239/1	00	00	11
	239/2	00	14	75
	239/3	00	15	71

1	2	3	4	5
3) Adapaka (Contd)	239/4	00	05	78
	239/6	00	00	15
	239/7	00	03	72
	240/1	00	47	16
	240/3	00	11	40
	241/10	00	00	96
	241/20	00	04	90
	373/19	00	00	31
	373/20	00	05	30
	373/21	00	01	23
	373/22	00	00	65
	373/23	00	03	50
	373/24	00	04	94
	373/25	00	01	89
	373/26	00	02	20
	373/27	00	03	20
	373/4	00	04	63
	373/5	00	00	10
	374/1	00	02	71
	374/19	00	00	68
	374/2	00	06	63
	374/21	00	00	16
	374/3	00	10	51
	374/6	00	10	10
	374/7	00	00	26
	375/12	00	00	85
	375/13	00	25	96
	375/2	00	00	93
	375/3	00	20	55
	375/4	00	00	48
	376/1	00	01	21
	378/1	00	01	80
	378/14	00	00	81
	378/2	00	11	61
	378/3	00	05	32
	378/4	00	00	10
	378/5	00	14	86
	378/6	00	08	47
	378/7	00	06	03
	378/8	00	03	65
	378/9	00	01	99
	378/10	00	00	16

1	2	3	4	5
3) Adapaka (Contd)	379/1	00	27	98
	379/3	00	01	74
	380/4	00	15	00
	380/5	00	13	92
	398/10	00	22	69
	398/11	00	06	05
	398/12	00	05	96
	398/18	00	02	56
	398/7	00	08	78
	398/8	00	07	30
	399/1	00	04	25
	399/2	00	01	99
	399/3	00	01	20
	399/4	00	00	26
	400	00	00	75
	401/14	00	01	20
	401/12	00	17	60
	401/16	00	03	97
	401/13	00	00	20
	402/1	00	44	83
	403/1	00	00	11
	403/2	00	00	10
	403/4	00	16	21
	403/5	00	04	36
	404/23	00	03	00
	404/24	00	00	96
	404/22	00	00	50
	404/21	00	00	95
	404/20	00	01	10
	404/17	00	00	96
	404/18	00	07	50
	404/19	00	08	10
	In bet. Suy no. 383 & 382	00	17	87
4) Peddakottapalli	105/19	00	02	13
	105/20	00	14	23
	105/24	00	07	90
	105/21	00	00	10
	105/22	00	00	91
	105/23	00	08	21
	106/14	00	02	50
	106/13	00	04	71
	106/12	00	04	12

1	2	3	4	5
4) Peddakottapalli (Contd)	106/11	00	06	00
	101/6B	00	02	98
	101/6A	00	09	87
	106/10	00	01	30
	101/5	00	03	76
	101/4	00	06	97
	101/3	00	03	19
	101/1	00	00	10
	101/2	00	12	55
	101/12	00	00	10
	101/13	00	01	68
	100/8	00	00	27
	100/10	00	12	17
	100/9	00	04	26
	99/19	00	01	11
	99/18	00	03	73
	99/16	00	07	27
	99/15	00	05	49
	99/14	00	06	37
	99/13	00	02	40
	99/10	00	00	10
	99/3	00	01	12
	99/4	00	02	15
	99/5	00	03	32
	99/8	00	01	70
	99/7	00	01	92
	99/6	00	04	66
	80/44	00	10	45
	80/43	00	06	92
	82/3	00	00	10
	82/2	00	07	97
	80/33	00	02	81
	80/32	00	00	10
	82/1	00	03	49
	82/11	00	00	57
	82/12	00	03	43
	82/13	00	07	94
	82/20	00	00	19
	82/15	00	04	26
	82/14	00	01	98
	82/16	00	02	75
	82/17	00	01	21

1	2	3	4	5
4) Peddakottapalli (Contd)	81/6	00	07	26
	81/4	00	11	70
	81/3	00	18	61
	81/2	00	03	59
	81/1	00	03	95
	50/30	00	02	94
	50/30	00	00	56
	50/51	00	02	88
	50/32	00	02	12
	50/38	00	02	94
	50/33	00	02	67
	50/37	00	03	86
	50/36	00	03	80
	50/35	00	02	17
	146/5	00	03	85
	146/6	00	01	38
	50/26	00	02	33
	146/4	00	08	74
	146/8	00	00	10
	146/3	00	08	68
	146/14	00	01	72
	146/1	00	00	93
	146/2	00	09	02
	146/13	00	01	45
	146/16	00	02	08
	146/17	00	03	97
	146/18	00	01	84
	150/13	00	14	43
	147	00	01	90
	150/35	00	00	56
	150/36	00	02	06
	150/12	00	02	73
	150/11	00	01	63
	150/39	00	04	67
	150/10	00	00	77
	150/40	00	03	63
	150/41	00	03	57
	150/42	00	00	48
	150/5	00	06	41
	150/6	00	01	03
	150/4	00	01	29
	150/43	00	11	43

1	2	3	4	5
4) Peddakottapalli (Contd)	150/46	00	00	78
	150/47	00	06	51
	150/58	00	01	12
	150/48	00	07	89
	150/49	00	07	79
	150/51	00	05	05
	150/52	00	00	10
	149	00	02	67
	148/5	00	00	10
	45/28	00	26	11
	45/27	00	02	98
	45/26	00	00	10
	155/3	00	03	25
	155/4	00	06	38
	155/5	00	06	05
	155/8	00	08	94
	155/9	00	01	84
	155/10	00	04	75
	155/14	00	09	12
	155/15	00	30	26
	155/16	00	03	30
	155/17	00	02	29
	155/18	00	01	29
	155/19	00	00	87
	156/1	00	00	89
	156/2	00	01	00
	156/3	00	00	15
	44/11	00	01	07
	44/12	00	10	56
	44/13	00	07	73
	44/14	00	00	19
	44/15	00	09	80
	44/16	00	03	35
	44/17	00	00	60
	33/9	00	05	04
	33/16	00	22	55
	33/17	00	03	59
	33/15	00	73	00
	33/14	00	00	10
	34/14	00	01	89
	44/22	00	02	05
	34/22	00	18	72

1	2	3	4	5
4) Peddakottapalli (Contd)	34/21	00	08	26
	34/20	00	13	31
	34/19	00	06	08
	35/4	00	08	35
	35/2	00	12	59
	37/5	00	75	27
	35/3	00	00	10
	36/6	00	00	55
	37/4	00	54	85
	37/3	00	41	43
	38/1	00	04	12

Mandal/Tehsil/Taluk:Ponduru	District:Srikakulam	State:ANDHRA PRADESH		
1) Loluga	151	00	16	51
	152/5	00	06	48
	152/4	00	14	01
	152/3	00	03	61
	152/6	00	03	20
	152/7	00	15	43
	152/8	00	14	25
	152/9	00	03	37
	154/7	00	50	27
	155/30	00	00	43
	155/31	00	07	03
	155/22	00	02	80
	155/23	00	09	00
	155/22	00	06	38
	155/21	00	06	14
	155/20	00	03	76
	155/19	00	01	58
	155/18	00	01	03
	155/17	00	00	59
	155/16	00	02	24
	155/10	00	06	52
	155/9	00	00	71
	155/11	00	00	83
	155/15	00	02	72
	155/14	00	03	03
	155/13	00	01	88
	186/13	00	00	10
	189/4	00	35	99
	189/2	00	05	13
	189/3	00	00	55
	190/22	00	06	13

1	2	3	4	5
1) Loluga (Contd)	190/23	00	13	94
	190/15	00	00	62
	190/13	00	00	18
	190/14	00	06	93
	196/16	00	00	35
	196/12	00	02	18
	196/11	00	03	55
	196/1	00	02	59
	196/8	00	06	02
	196/9	00	03	90
	196/10	00	01	55
	196/4	00	02	17
	196/2	00	00	10
	196/3	00	00	85
	196/7	00	03	61
	196/5	00	03	02
	196/6	00	02	63
	194/27	00	00	41
	194/28	00	07	56
	194/25	00	00	55
	195	00	11	45
	193	00	00	99
	200/52	00	11	43
	200/51	00	03	07
	200/50	00	00	70
	200/54	00	20	75
	200/55	00	12	04
	203/39	00	02	79
	200/40	00	01	10
	200/39	00	09	90
	203/2	00	02	03
	203/1	00	03	03
	203/3	00	09	60
	200/38	00	00	11
	203/4	00	03	78
	203/5	00	00	81
	203/6	00	04	09
	203/8	00	00	38
	203/7	00	03	88
	201/19	00	09	53
	203/9	00	01	70
	201/20	00	00	63

1	2	3	4	5
Loluga (Contd)	201/46	00	03	90
	201/47	00	03	06
	201/50	00	11	52
	201/51	00	01	08
	201/49	00	08	45
	202	00	04	39
	209/15	00	08	00
	209/16	00	00	97
	209/14	00	02	09
	209/12	00	07	81
	209/7	00	07	67
	209/8	00	01	86
	209/6	00	01	39
	209/9	00	01	00
	209/1	00	00	34
	209/4	00	20	32
	210/20	00	13	95
	210/9	00	02	46
	214/15	00	00	10
	214/6	00	13	82
	214/9	00	00	11
	214/7	00	02	30
	214/4	00	03	54
	214/5	00	00	55
	214/3	00	05	60
	214/2	00	04	47
	213/22	00	00	14
	216/20	00	03	61
	215	00	06	66
	217/6	00	02	49
	217/2	00	03	69
	216/19	00	01	25
	216/18	00	03	79
	216/17	00	00	80
	217/5	00	06	07
	217/4	00	11	11
	217/3	00	02	11
	223/1	00	05	60
	233/1	00	00	25
	232/31	00	25	89
	232/1	00	01	02
	232/2	00	04	04

1	2	3	4	5
1) Loluga (Contd)	232/3	00	05	26
	232/4	00	04	87
	232/5	00	02	65
	232/6	00	02	19
	232/7	00	01	51
	232/8	00	01	09
	224/41	00	00	17
	224/42	00	03	68
	231/8	00	03	98
	231/9	00	05	72
	231/10	00	15	17
	231/6	00	02	43
	231/11	00	02	93
	231/12	00	14	97
	231/5	00	00	57
	231/13	00	01	61
	231/14	00	03	08
	231/20	00	03	00
	231/21	00	00	94
	231/15	00	05	38
	231/17	00	15	24
	231/19	00	01	05
2) Burindakancharam	149	00	06	52
	150/1	00	01	49
	150/4	00	03	27
	150/3	00	04	28
	148	00	06	42
	146/10D	00	00	64
	146/16	00	06	62
	146/15	00	03	36
	146/14	00	01	54
	146/17	00	06	60
	146/18	00	01	75
	145/1	00	02	11
	145/2	00	00	18
	145/3	00	09	98
	145/4	00	06	67
	145/5	00	03	06
	145/6	00	01	43
	145/12	00	01	12
	145/11	00	27	43
	145/24	00	03	59

1	2	3	4	5
2) Burindakancharam (Contd)	143/3	00	01	58
	143/2	00	04	61
	143/1	00	03	82
	143/7	00	04	63
	143/6	00	00	10
	143/8	00	07	26
	143/9	00	03	32
	143/10	00	00	10
	129/21	00	00	74
	129/18	00	00	76
	129/17	00	00	23
	130/14	00	04	10
	130/13	00	01	58
	130/12	00	02	95
	130/11	00	01	74
	130/10	00	01	24
	130/9	00	00	97
	130/8	00	00	53
	130/5	00	00	18
	142/10	00	00	17
	142/9	00	00	82
	142/8	00	02	39
	142/7	00	02	07
	142/6	00	02	78
	142/5	00	01	21
	142/4	00	00	64
	142/3	00	01	33
	130/15	00	02	29
	142/2	00	02	94
	142/1	00	04	11
	142/12	00	00	10
	142/16	00	02	91
	133/6	00	02	04
	133/9	00	05	58
	133/8	00	02	90
	133/10	00	12	26
	133/13	00	00	10
	133/12	00	00	42
	133/11	00	00	91
	133/4	00	03	46
	134/1	00	00	10
	134/2	00	23	05

1	2	3	4	5
2) Burindakancharam (Contd)	134/6	00	00	40
	134/7	00	01	80
	121	00	04	05
	40/14	00	03	49
	40/17	00	01	86
	40/16	00	07	86
	40/15	00	14	98
	40/12	00	03	21
	40/11	00	09	00
	40/10	00	08	53
	40/9	00	01	60
	40/6	00	00	65
	40/5	00	05	43
	40/4	00	00	10
	118/4	00	01	43
	118/1	00	09	58
	118/2	00	05	41
	42/37	00	01	13
	42/38	00	02	32
	114/1	00	08	05
	114/2	00	04	98
	114/5	00	00	10
	43/18	00	00	23
	43/23	00	00	66
	43/24	00	01	33
	43/28	00	08	21
	43/31	00	00	10
	43/30	00	01	04
	43/29	00	02	49
	43/27	00	00	82
	43/26	00	00	10
	43/11	00	05	83
	113/4	00	00	10
	113/5	00	02	44
	113/6	00	09	00
	113/7	00	02	65
	113/13	00	00	65
	113/14	00	06	05
	113/15	00	04	25
	113/16	00	07	20
	113/17	00	04	30
	113/21	00	00	75

1	2	3	4	5
2) Burindakancharam (Contd)	113/22	00	08	70
	113/23	00	00	60
	113/25	00	03	85
	184	00	01	71
	112	00	06	99
	181/1	00	05	85
	181/2	00	03	24
	181/3	00	00	11
	110/5	00	00	30
	110/6	00	02	1
	110/7	00	01	95
	110/8	00	08	47
	110/9	00	00	20
	110/15	00	17	90
	107/1	00	40	24
	108/3	00	04	25
	118/9	00	06	41
	108/10	00	07	25
	71/7	00	00	18
	72/6	00	10	79
	72/9	00	01	29
	71/5	00	03	85
	72/4	00	00	10
	72/11	00	04	36
	72/12	00	00	87
	71/10	00	11	14
	71/13	00	01	68
	71/14	00	03	35
	71/15	00	05	64
	71/16	00	01	83
	71/19	00	02	18
	71/18	00	05	17
	71/17	00	01	82
	71/21	00	01	25
	74/11	00	02	06
	74/10	00	06	62
	74/2	00	10	91
	74/3	00	08	84
	74/1	00	12	97
	63/20	00	09	48
	63/10	00	11	81
	63/6	00	05	44

1	2	3	4	5
2) Burindakancharam (Contd)	63/7	00	15	96
	63/9	00	02	70
	63/8	00	05	93
	62/11	00	06	65
	62/10	00	08	72
	62/9	00	07	52
	62/8	00	07	59
	62/7	00	05	45
	62/6	00	02	50
	77/6	00	00	20
	77/5	00	02	34
	77/3	00	03	18
	77/4	00	02	97
	77/2	00	09	42
	77/1	00	00	15
	77/7	00	08	55

[F. No. L-14014/33/2009-GP]
SNEH P. MADAN, Under Secy.

नई दिल्ली, 18 अगस्त 2010

का. आ. 2118.—भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मैसर्स रिलायंस इण्डस्ट्रीज लिमिटेड की आन्ध्र प्रदेश में पूर्वी तट पर काकीनाडा स्थित अपतटीय गैस प्रसंस्करण टर्मिनल से देश के विभिन्न हिस्सों में स्थित उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा विजयवाड़ा - नेल्लोर - चेन्नई पाइपलाइन विछाई जानी चाहिए ;

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाए जाने का प्रस्ताव है और जो इस अधिसूचना से उपावद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा पदतल शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवन्धु है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उप-धारा (1) के अधीन जारी की गई अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाए जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री एम.ए.गफ्फार, सक्षम प्राधिकारी, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, नं. 59-1-18/3, मैगिंग ग्रेला कॉलेज के सामने की गेट में, बस स्टॉप नं.5, रामचन्द्रा नगर, विजयवाड़ा-520008, कृष्णा जिला, आन्ध्रप्रदेश राज्य को लिखित रूप में आक्षेप भेज सकेगा ।

अनुसूची

मंडल/ तेहसिल/ तालुक शोकोडावलूर	जिला : श्री पोष्टि श्रीगमुलु नेल्लूर	राज्य : आन्ध्र प्रदेश		
गाँव का नाम	सर्वे सं. / सब डिविजन सं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि एयर
1	2	3	4	5

1) कोत्तवंगल्लु	1299	01	31	11
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मंडल/ तेहसिल/ तालुक शुचिगंडिडपालेम	जिला : श्री पोष्टि श्रीगमुलु नेल्लूर	राज्य : आन्ध्र प्रदेश		
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1) इस्कापालेम	522	00	69	84
	538	00	06	36
	539	00	82	56
	540	00	33	89

2) वव्वेरु	518	00	15	49
	एयर नंबर 518 में नलाव	00	02	22
	536/1	00	08	53
	577	00	06	95
	582	00	16	20
	583	00	19	86
	584	00	21	02
	585	00	08	61
	590	00	00	10
	597	00	44	59
	598	00	25	08
	600	00	14	09
	601	00	04	86
	602	00	15	96
	605	00	11	04
	606	00	37	58
	607	00	06	77
	608	00	03	38
	610	00	03	31
	611	00	04	66
	615	00	25	79
	616	00	02	28
	617	00	01	24
	618	00	02	24
	619	00	22	05
	620	00	01	62
	621	00	04	62
	647/डी	00	00	46
	648/ए	00	01	39
	648/बी	00	01	94
	649	00	12	63
	650	00	05	19

1	2	3	4	5
2) वव्वेरु (निरंतर)	651	00	00	10
	652	00	28	43
	693	00	00	72
	694	00	08	00
	695	00	11	41
	696	00	24	09
	697	00	01	27
	702	00	40	40
	703	00	36	08
	704	00	30	70
	706	00	26	38
	707	00	04	80
	708	00	19	55
	717	00	30	88
	718	00	01	03
	734/ए	00	03	55
	797	00	01	31
	798	00	36	32
	803/2	00	05	01
	811/1	00	63	65
	811/2	00	05	03
	812	00	34	78
	814	00	27	55
	817	00	02	47
	818	00	16	21
	821/1	00	12	03
	822	00	24	08
	823	00	01	85
	824/2	00	04	71
	924	00	00	87
	925	00	40	50
	926	00	03	72
	929/1	00	08	02
	936/1	00	13	52
	938	00	10	27
	939	00	01	99
	952	00	07	09
	953	00	17	81
	954/2	00	05	62
	954/3	00	28	65

1	2	3	4	5
2) बच्चे (निरंतर)	955	00	00	31
	958/2	00	03	94
	963/2	00	09	87
	968	00	07	92
	969	00	36	82
	गट नंबर 963/2 और 969 के बीच में	00	05	18
	1022	00	49	02
	1023	00	17	59
	1037	00	09	38
	1046	00	06	28
	1047	00	22	61
	1048	00	28	71
	1049	00	14	80
	1068	00	51	13
	1069	00	03	94
	1080	00	31	06
	1081	00	08	14
	1082	00	52	34
	1083	00	01	18
	1086	00	03	28
	1087	00	22	78
	1092	00	03	17
	1096	00	35	41
	1097	00	12	48
	1102	00	30	20
	1103	00	36	33
	1108	00	07	15
	1109	00	41	73
	1110	00	16	18
	1111	00	08	79
	1114	00	21	29
	1115	00	14	78
	1142	00	95	71
	1219	00	20	55
	1222	00	04	90
	1224	00	61	02
	1226	00	02	61
	1230	00	18	65
	1243	00	26	76
	1244	00	16	96

1	2	3	4	5
2) वच्चेरु (निरंतर)	1245	00	28	06
	1246	00	01	33
	1247	00	49	12
	1250	00	09	40
	1251	00	45	47
	1252	00	44	27
	1256	00	01	57
	1257	00	00	10
3) कावेटिपालेम	5	00	43	41
	6	00	26	40
	8	00	31	00
	9	00	28	47
	10	00	03	17
	51	00	00	47
	53	00	05	40
	56	00	09	79
	57	00	10	05
	58	00	12	45
	59	00	17	53
4) पंचेडु	1	00	02	45
	4	00	01	98
	5	00	12	93
	6	00	32	18
	7	00	23	92
	8	00	21	64
	9	00	02	47
	11	00	00	10
	180	00	00	16
	181	00	15	90
	190	00	17	21
	191	00	09	89
	192	00	12	49
	199/1	00	48	66
	199/2	00	02	56
	201	00	13	69
	202	00	13	27
	203	00	12	09
	204	00	13	02
	205	00	29	44
	206	00	02	03

1	2	3	4	5
4) पंचेडु (निरंतर)	212	00	20	65
	213/1	00	31	32
	213/2	00	02	77
	214	00	04	48
	215/1	00	35	95
	215/2	00	22	07
	216	00	02	94
	249	00	03	96
	250	00	49	99
	251	00	04	67
	252	00	00	13
	253	00	33	38
	254	00	23	00
	257	00	20	01
	258	00	39	20
	259	00	04	74
	260	00	11	38
	268	00	22	04
	347	00	00	10
	398	00	16	22
	399	00	00	10
	402	00	29	01
	405	00	11	78
	406	00	03	71
	407	00	00	10
	417	00	00	77
	419	00	15	21
	420	00	38	89
	421	00	05	30
	424	00	17	69
	425	00	36	55
	426	00	02	39
	532	00	02	46
	536	00	04	11
	537	00	10	27
	538	00	51	94
	539	00	04	53
	540	00	37	27
	541	00	09	10
	542	00	06	51

1	2	3	4	5
4) पंचेडु (मिरंतर)	569	00	08	68
5) पेनुवल्ली	268	00	11	57
	269/1	00	06	41
	269/2	00	10	37
	389	00	18	34
	391	00	27	34
	392	00	31	03
	393	00	13	72
	394	00	05	56
	398	00	29	63
	399	00	39	67
	401/2	00	13	89
	401/3	00	04	45
	402	00	44	13
	404/1	00	55	42
	404/2	00	05	69
	405	00	49	50
6) भिनगल्लु	10	00	50	79
	11/1	00	28	60
	11/2	00	10	78
	11/3	00	05	75
	268	00	24	63
7) जोन्नवाडा	6	00	00	98
	गट नंबर 6 में नाला	00	00	44
	7	00	22	98
	8	00	62	69
	80	00	96	96
	गट नंबर 81 में पेनेरु नदी	01	38	45
मंडल/ तेहसिल/ तालुक संगम	जिला : श्री पोट्टि श्रीरामुलु नेल्लूरु	राज्य : आन्ध्र प्रदेश		
1) दुव्वुरु	21	01	33	75
	22	00	04	07
	76/1	00	27	84
	77	00	72	61
	91/3	00	06	25
	95	00	33	39
	875	00	28	24
	876	00	08	71
	879	00	30	07
	887	00	06	03
मंडल/ तेहसिल/ तालुक संगम	जिला : श्री पोट्टि श्रीरामुलु नेल्लूरु	राज्य : आन्ध्र प्रदेश		
1) मन्नवराप्पाडु	62	00	35	93
	66	00	09	13

1	2	3	4	5
1) मन्वराप्पाडु (निरंतर)	67	00	48	83
	68	00	26	76
	69	00	55	48
	70	00	19	21
	71	02	57	10
2) अमनचेर्ला	156	00	00	34
	159	00	27	68
	160	00	37	92
	163	00	35	91
	164	00	57	63
	182	00	96	67
	183	00	32	16
	186	00	18	91
	211	00	41	30
	212/2	00	18	20
	213	00	30	25
	214	00	03	01
	215	00	15	36
	220	00	26	14
	221	00	29	63
	222	00	37	26
	223	00	48	84
	229/2	00	34	67
	235	00	09	42
	301	00	75	78
	302	00	00	93
	303/1	02	13	05
	304	00	53	73
	308	00	69	02
	345/4	00	85	12
	419	02	84	11
	420	00	62	79
मंडल/ तेहगिल/ तालुक : वेंकटाचलम	जिला : श्री पोट्टि श्रीरामुलु नेल्लूरु	राज्य : आन्ध्र प्रदेश		
1) कुसुमुर	गाँव मीमा और 117 के बीच में	18	13	90
	117	01	08	92
	गट नंबर 117 में कुसुमूरु पेद चेम्बु	01	39	56
2) कुरीचर्लापाडु	1	05	05	05
	38/1	00	00	10
	39/1	00	00	43
	39/2ए	00	00	23
	39/2बी	00	00	75

1	2	3	4	5
2) कुरीचर्लापाडु (निरंतर)	40	01	19	18
	41/1	00	30	36
	42/2	00	35	14
	42/3	00	21	37
	43	00	00	40
	47	00	01	31
	48	00	05	88
	78	00	45	38
	79/5	00	04	94
	80/1	00	11	80
	80/2	00	00	50
	81/1	00	04	40
	81/4	00	13	24
	81/5	00	16	08
	81/6	00	03	88
	84/10	00	06	05
	84/4	00	22	91
	84/5	00	01	55
	84/7	00	00	25
	84/8	00	00	30
	84/9	00	10	72
	96/4	00	26	70
	96/6	00	19	05
	97/1	00	12	19
	97/4	00	14	27
	97/5	00	15	02
	98/1	00	01	73
	98/2	00	18	07
	98/3	00	29	11
	98/4	00	01	49
	103/1	00	00	42
	103/2	00	00	10
	103/3	00	03	23
	108	00	56	06
	109/2	00	00	84
	109/3	00	08	76
	110/1	00	00	46
	110/2	00	30	50
मंडल/ तेहसिल/ तालुक : मनुवोलु	जिला : श्री पोट्टि श्रीरामुलु नेल्लूरु	राज्य : आन्ध्र प्रदेश		
1) वडलापुडी	13	00	04	95
	14	00	14	42

1	2	3	4	5
1) वडलापुडी (निरंतर)	15	00	68	06
	19	00	47	23
	20	00	03	25
	31	00	19	38
	37	00	14	92
	38	00	44	48
	81	00	27	89
	83	00	66	70
	84	00	03	24
	86/ए	00	10	03
	87/ए	00	00	37
	89	00	49	48
	90	00	43	31
	96/ए	00	42	59
	96/बी	00	07	05
	गट नंबर 96/बी में रोड	00	01	74
	96/सी	00	09	98
	103/ए	00	01	75
	104	00	04	66
	105	00	60	40
	106	00	29	76
	108	00	01	84
	109/1	00	36	16
	109/2	00	00	16
	1133	00	15	89
	118	00	35	01
	119	00	19	38
	127	00	42	42
	131	00	80	88
	143	00	37	86
	145	00	03	02
	156	00	11	04
	157	00	28	16
	158	00	21	33
	159	00	33	12
	160	00	30	63
	161	00	00	10
	162	00	64	47
2) अक्कमपेटा	158	00	42	49
	159	00	55	86

1	2	3	4	5
2) अक्कमपेटा (निरंतर)	160	00	15	45
	161	00	90	16
3) मडमनुरु	247	00	14	67
	248	00	71	01

[फा सं. एल.-14014/56/2009-जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 18th August, 2010

S. O. 2118.—Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from on-shore gas processing terminal at Kakinada on East coast of Andhra Pradesh of M/s Reliance Industries Limited to consumers in various parts of the country, Vijayawada-Nellore-Chennai Pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri M.A. Gaffar, Competent Authority, Relogistics Infrastructure Limited, House No. 59-1-18/3, Opp Road to Maries Stella college, Bus route No. 5, Ramachandra Nagar, Vijayawada - 520 008, Krishna District, Anonra Pradesh State.

Schedule

Mandal/Tehsil/Taluk:Kodavaluru		District: Sri Potti Sriramulu Nellore		State:Andhra Pradesh	
Village	Survey No./Sub-Division No.	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	

1) Kothavangallu	1399	01	31	11
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Mandal/Tehsil/Taluk:Buchireddipalem		District: Sri Potti Sriramulu Nellore		State:Andhra Pradesh	
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1) Iskapalem	522	00	69	84
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	538	00	06	36
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	539	00	82	56
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	540	00	33	89
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2) Vavveru	518	00	15	49
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Pond in Gat No.518		00	02	22
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536/1		00	08	53
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577		00	06	95
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582		00	16	20
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583		00	19	86
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584		00	21	02
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585		00	08	61
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590		00	00	10
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597		00	44	59
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598		00	25	08
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600		00	14	09
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601		00	04	86
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602		00	15	96
-----	--	----	----	----

605		00	11	04
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606		00	17	58
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607		00	06	77
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608		00	03	38
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610		00	03	31
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611		00	04	66
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615		00	25	79
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616		00	02	28
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617		00	01	24
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618		00	02	24
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619		00	22	05
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620		00	01	62
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621		00	04	62
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647/D		00	00	46
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648/A		00	01	39
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648/B		00	01	94
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649		00	12	63
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650		00	05	19
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1	2	3	4	5
2) Vavveru (Contd)	651	00	00	10
	652	00	28	43
	693	00	00	72
	694	00	08	00
	695	00	11	41
	696	00	24	09
	697	00	01	27
	702	00	40	40
	703	00	36	08
	704	00	30	70
	706	00	26	38
	707	00	04	80
	708	00	19	55
	717	00	30	88
	718	00	01	03
	734/A	00	03	55
	797	00	01	31
	798	00	36	32
	803/2	00	05	01
	811/1	00	63	65
	811/2	00	05	03
	812	00	34	78
	814	00	27	55
	817	00	02	47
	818	00	16	21
	821/1	00	12	03
	822	00	24	08
	823	00	01	85
	824/2	00	04	71
	924	00	00	87
	925	00	40	53
	926	00	03	72
	929/1	00	08	02
	936/1	00	13	52
	938	00	10	27
	939	00	01	99
	952	00	07	09
	953	00	17	81
	954/2	00	05	82
	954/3	00	28	85

1.	2	3	4	5
2) Vavveru (Contd)	955	00	00	31
	958/2	00	03	94
	963/2	00	09	87
	968	00	07	92
	969	00	36	82
	In bet suy no. 963/2 & 969	00	05	18
	1022	00	49	02
	1023	00	17	59
	1037	00	09	38
	1046	00	06	28
	1047	00	22	61
	1048	00	28	71
	1049	00	14	80
	1068	00	51	13
	1069	00	03	94
	1080	00	31	06
	1081	00	08	14
	1082	00	52	34
	1083	00	01	18
	1086	00	03	28
	1087	00	22	78
	1092	00	03	17
	1096	00	35	41
	1097	00	12	48
	1102	00	30	20
	1103	00	36	33
	1108	00	07	15
	1109	00	41	73
	1110	00	16	18
	1111	00	08	79
	1114	00	21	29
	1115	00	14	78
	1142	00	95	71
	1219	00	20	55
	1222	00	04	90
	1224	00	61	02
	1226	00	02	61
	1230	00	18	65
	1243	00	26	76
	1244	00	16	96

1	2	3	4	5
2) Vavveru (Contd)	1245	00	28	06
	1246	00	01	33
	1247	00	49	12
	1250	00	09	40
	1251	00	45	47
	1252	00	44	27
	1256	00	01	57
	1257	00	00	10
3) kavetipalem	5	00	43	41
	6	00	26	40
	8	00	31	00
	9	00	28	47
	10	00	03	17
	51	00	00	47
	53	00	05	40
	56	00	09	79
	57	00	10	05
	58	00	12	45
	59	00	17	53
4) Panchedu	1	00	02	45
	4	00	01	98
	5	00	12	93
	6	00	32	18
	7	00	23	92
	8	00	21	64
	9	00	02	47
	11	00	00	10
	180	00	00	16
	181	00	15	90
	190	00	17	21
	191	00	09	89
	192	00	12	49
	199/1	00	48	66
	199/2	00	02	56
	201	00	13	69
	202	00	13	27
	203	00	12	09
	204	00	13	02
	205	00	29	44
	206	00	02	03

1	2	3	4	5
4) Panchedu (Contd)	212	00	20	65
	213/1	00	31	32
	213/2	00	02	77
	214	00	04	48
	215/1	00	35	95
	215/2	00	22	07
	216	00	02	94
	249	00	03	96
	250	00	49	99
	251	00	04	67
	252	00	00	13
	253	00	33	38
	254	00	23	00
	257	00	20	01
	258	00	39	20
	259	00	04	74
	260	00	11	38
	268	00	22	04
	347	00	00	10
	398	00	16	22
	399	00	00	10
	402	00	29	01
	405	00	11	78
	406	00	03	71
	407	00	00	10
	417	00	00	77
	419	00	15	21
	420	00	38	89
	421	00	05	30
	424	00	17	69
	425	00	36	55
	426	00	02	39
	532	00	02	46
	536	00	04	11
	537	00	00	27
	538	00	51	94
	539	00	04	53
	540	00	37	27
	541	00	09	10
	542	00	06	51

1	2	3	4	5
4) Panchedu (Contd)	569	00	08	68
5) Penuballi	268	00	11	57
	269/1	00	06	41
	269/2	00	10	37
	389	00	18	34
	391	00	27	34
	392	00	31	03
	393	00	13	72
	394	00	05	56
	398	00	29	63
	399	00	39	67
	401/2	00	13	89
	401/3	00	04	45
	402	00	44	13
	404/1	00	55	42
	404/2	00	05	69
	405	00	49	50
6) Minagallu	10	00	50	79
	11/1	00	28	60
	11/2	00	10	78
	11/3	00	05	75
	268	00	24	63
7) Zonnabada	6	00	00	98
	Nala in Gat no.6	00	00	44
	7	00	22	98
	8	00	62	59
	80	00	96	96
	Penner River in Gat No.81	01	38	45
Mandal/Tehsil/Taluk:Sangam District: Sri Potti Sriramulu Nellore State:Andhra Pradesh				
1) Duvvuru	21	01	33	75
	22	00	04	07
	76/1	00	27	84
	77	00	72	61
	91/3	00	06	25
	95	00	33	39
	875	00	28	24
	876	00	08	71
	879	00	30	07
	887	00	06	03
Mandal/Tehsil/Taluk:Nellore District: Sri Potti Sriramulu Nellore State:Andhra Pradesh				
1) Mannavarappadu	62	00	35	93
	66	00	09	13

1	2	3	4	5
1) Mannavarappadu (Contd)	67	00	48	83
	68	00	26	76
	69	00	55	48
	70	00	19	21
	71	02	57	10
2) Amancherla	156	00	00	34
	159	00	27	68
	160	00	37	92
	163	00	35	91
	164	00	57	63
	182	00	96	67
	183	00	32	16
	186	00	18	91
	211	00	41	30
	212/2	00	18	20
	213	00	30	25
	214	00	03	01
	215	00	15	36
	220	00	26	14
	221	00	29	63
	222	00	37	26
	223	00	48	84
	229/2	00	34	67
	235	00	09	42
	301	00	75	78
	302	00	00	93
	303/1	02	13	05
	304	00	53	73
	308	00	69	02
	345/4	00	85	12
	419	02	84	11
	420	00	62	79

Mandal/Tehsil/Taluk:Venkatachalam	District: Sri Potti Sriramulu Nellore	State:Andhra Pradesh		
1) Kusumur	Between VB & suy no. 117	18	13	90
	117	01	08	92
	Kasumuru Pedda Cheruvu in Gat No.117	01	39	56
2) Kuricharlapadu	1	05	05	05
	38/1	00	00	10
	39/1	00	00	43
	39/2A	00	00	23
	39/2B	00	00	75

1	2	3	4	5
2) Kurichalapadu (Contd)	40	01	19	18
	41/1	00	30	36
	42/2	00	35	14
	42/3	00	21	37
	43	00	00	40
	47	00	01	31
	48	00	05	88
	78	00	45	38
	79/5	00	04	94
	80/1	00	11	80
	80/2	00	00	50
	81/1	00	04	40
	81/4	00	13	24
	81/5	00	16	08
	81/6	00	03	88
	84/10	00	06	05
	84/4	00	22	91
	84/5	00	01	55
	84/7	00	00	25
	84/8	00	00	30
	84/9	00	10	72
	96/4	00	26	70
	96/6	00	19	05
	97/1	00	12	19
	97/4	00	14	27
	97/5	00	15	02
	98/1	00	01	73
	98/2	00	18	07
	98/3	00	29	11
	98/4	00	01	49
	103/1	00	00	42
	103/2	00	00	10
	103/3	00	03	23
	108	00	50	06
	109/2	00	00	84
	109/3	00	08	76
	110/1	00	00	46
	110/2	00	30	50
Mandal/Tehsil/Taluk:Manubolu	District: Sri Potti Sriramulu Nellore		State:Andhra Pradesh	
1) Vadlapudi	13	00	04	95
	14	00	14	42

1	2	3	4	5
1) Vadlapudi (Contd)	15	00	68	06
	19	00	47	23
	20	00	03	25
	31	00	19	38
	37	00	14	92
	38	00	44	48
	81	00	27	89
	83	00	66	70
	84	00	03	24
	86/A	00	10	03
	87/A	00	00	37
	89	00	49	48
	90	00	43	31
	96/A	00	42	59
	96/B	00	07	05
	Road in Gat No.96/B	00	01	74
	96/C	00	09	98
	103/A	00	01	75
	104	00	04	66
	105	00	60	40
	106	00	29	76
	108	00	01	84
	109/1	00	36	16
	109/2	00	00	16
	1133	00	15	89
	118	00	35	01
	119	00	19	38
	127	00	42	42
	131	00	80	88
	143	00	37	86
	145	00	03	02
	156	00	11	04
	157	00	28	16
	158	00	21	33
	159	00	33	12
	160	00	30	63
	161	00	00	10
	162	00	64	47
2) Akkamapeta	158	00	42	49
	159	00	55	86
	160	00	15	45
	161	00	90	16
3) Madamanuru	247	00	14	67
	248	00	71	01

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 29 जुलाई, 2010

का.आ. 2119.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ बड़ौदा के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय कानपुर के पंचाट (संदर्भ संख्या 67/ऑफ 2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-7-2010 को प्राप्त हुआ था।

[सं. एल-12012/81/2002-आईआर(बी-II)]

अनिल कुमार शर्मा, अनुभाग अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 29th July, 2010

S.O. 2119.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.67 of 2002) of the Central Government Industrial Tribunal/Labour Court, Kanpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 29-7-2010.

[No. L-12012/81/2002-IR (B-II)]

ANIL KUMAR SHARMA, Section Officer

ANNEXURE**BEFORE SRI RAM PARKASH, HJS, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR****Industrial Dispute No. 67 of 2002****Between**

Sri Ashutosh Kumar,
Village Ram Nagar, Morcha P.O.
Jamalpur District Munger. (Bihar)

And

The Regional Manager,
Bank of Baroda,
Regional Office,
Govind Ganj,
Shahjahanpur

AWARD

1. The Central Government, MoL, New Delhi, vide notification No. L-12012/81/2002-IR (B-II) dated 21-8-2002, has referred the following dispute for adjudication to this tribunal.

2. Whether the action of the Bank of Baroda management in dismissing Sri Ashutosh Kumar Assistant clerk cum cashier from service with effect from 26-12-2000 is justified and legal? If not, what relief he is entitled to?

3. Brief facts are that claimant Sri Ashutosh Kumar has filed this claim statement praying that the order of the

bank in dismissing the claimant from service with effect from 26-12-2000, be declared as illegal and unjustified and he should be reinstated with consequential benefits.

4. It is stated that he was appointed as assistant clerk cum cashier in bank of Baroda on 7-6-99 on probation on six months and posted at the bank's Parol Branch District Shahjahanpur. At the time of his appointment, he was required to fill in an application form. In that form there was a column no. 27 in which he was required to mention as to whether the applicant was prosecuted at any time. Applicant for want of proper understanding about the Word "Prosecuted" wrote "no" against that column. After making inquiries about his character through the police the bank extended his probation by six months more. Thereafter the bank issued a charge sheet dated 5-1-2000 alleging that the applicant had suppressed and deliberately hidden from the bank the fact that the applicant did not have a clear police record so as to gain wrongful employment in the bank since a criminal case was already registered against the applicant under section 364, 386 & 120-B of IPC and that the case was pending before court of law. Instead of affording an opportunity to the applicant to submit his explanation in the charge sheet itself it was stated that an inquiry has been instituted against the applicant.

5. In the inquiry he stated before the inquiry officer about his version that he does not understand the meaning of the word prosecution. He also alleged that he was falsely implicated in the criminal case and a certified true copy of the statement of Sri Niranjan Shah the persons who was abducted as recorded before the court was given to the inquiry officer, but the inquiry officer did not take the cognizance of the aforesaid documents and instead wrote a letter addressed to him (in short E.O.) in his hand writing on my behalf and made the applicant to sign the same. Thereafter the inquiry officer submitted his report. On receipt of the report the disciplinary authority issued a show cause notice to the applicant proposing the punishment of dismissal without notice separately on the two charges framed against the applicant. Thereafter granting a perfunctory personal hearing to the applicant the disciplinary authority (in short DA) inflicted the punishment of dismissal vide order dated 26-12-2000. Thereafter he submitted an appeal to the appellate authority. While the appeal of the applicant was pending the applicant was acquitted by the court and he submitted a copy of the judgment to the appellate authority. The appellate authority without going through the record of the inquiry proceedings and the statement of the abducted persons filed before the inquiry officer dismiss the appeal vide order dated 8-12-01. Therefore, he alleged that the inquiry officer and the appellate authority had not gone through the record. They have not considered the statement of the abducted persons therefore, the inquiry is vitiated.

6. Opposite party has filed the written statement

and admitted the fact of appointment of Sri Ashutosh Kumar but on verification of his antecedents and character through the police authorities of the district Munger, Bihar, vide their letter dated 31-8-99, reported that a case is registered against the applicant in the aforesaid sections at District Munger and a charge sheet has been filed by the police authorities on 31-12-96 and the case of pending in the court of law. Thus it was clear that the applicant had suppressed/concealed from the bank the fact that a criminal case is pending against him in a court of law for abduction and in other sections. In view of the above acts of omission and commission of the applicant, the provisions of Para no. 19.5 and XVI (m/n Bipartite Settlement as amended up to date) were attracted and he was charged for the following —

A. That the Applicant made a false statement in the documents pertaining to or in connection with his employment in the bank willfully and knowingly after suppressing and deliberately the facts.

B. That the claimant willfully did acts prejudicial to the interest of the bank.

7. All the charges were proved during the inquiry conducted by Sri Balak Ram inquiry officer as per his inquiry report dated 2-5-2000. After analyzing the facts circumstances and records of the inquiry proceedings and findings of the enquiry officer per which all the charges leveled against the claimant were proved, the disciplinary authority decided to give personal hearing on proposed punishment of dismissal to the claimant on 15-12-2000. Claimant appeared before the disciplinary authority on the said date and made a prayer showing his mercy. Considering all the relevant facts and after hearing the disciplinary authority imposed the aforesaid penalty of dismissal vide order dated 26-12-2000. Being aggrieved claimant also made an appeal before the appellate authority. The appellate authority after careful examination of the record of inquiry and submission of the applicant and also submissions during the person hearing dismissed the appeal. The claimant was dismissed during the probation period. It is stated that it is wrong to say that the claimant did not understand the meaning of the word "prosecution". He is first class matriculate and first class intermediate, English being one of the subjects. There is a Hindi column also. The claimant has deliberately written in the said column as no. Similarly in attestation form he has written no. This has been done for getting employment fraudulently. Before issuance of the charge sheet the applicant was given opportunity to reply the charges and the applicant submitted his reply which was not found proper and fit. The applicant before the inquiry officer appeared in person for personal hearing and confessing his guilt as contained in charge sheet unconditionally and without any pressure. The charges before the criminal case are of very serious nature. It is said that under the present case there is no relevance of the statement of the abducted person. In this

case the only fact which is relevant is that he has suppressed the fact of prosecution knowing and willingly for obtaining the employment in the bank. Therefore, the claim of the claimant is liable to be dismissed the claimant is not entitled to get any relief.

8. Both the parties he adduced oral as well as documentary evidence.

9. Claimant has adduced 5 documents vide list 8/1. These documents are original charge sheet dated 5-1-2000, original order dated 9-5-2000, original letter dated 9-11-01, with its enclosure, certified true copy of the statement of Sri Niranjana Shah and Certified true copy of the judgment of III Additional Sessions Judge.

10. Opposite party has filed 24 documents vide list 11/1. These documents are application form of the claimant, information sheet of the claimant, summary sheet of the claimant, appointment letter of the claimant, letter of SP Munger with two enclosures, letter of Regional Manager dated 18-11-99 addressed to the claimant letter dated 24-11-99 of branch manager, reply dated 9-12-99 of the claimant, charge sheet dated 5-1-2000, order regarding appointment of the inquiry officer, order regarding appointment of presenting officer, inquiry proceedings (7 pages), paper no. 13, 14, 15 and 16 are the notices fixing date of inquiry for different date, letter of claimant appointing Sri Chaudhary as Defence Representative, application of the authorized representative requesting for the adjournment, letter of claimant dated 19-4-2000, letter of disciplinary authority dated 9-5-2000 addressed to claimant, letter dated 27-11-2000 of D.A fixing 15-12-2000 for personal hearing, proceeding of personal hearing, dismissal order dated 26-12-2000 and appellate order.

11. Applicant has adduced himself as W.W.1 Ashutosh Kumar. Opposite party management has adduced one witness Sri Vijai Sneh its Senior Manager, as M.W.12.

12. Heard the arguments perused the records facts and circumstances of the case. During arguments the authorized representative for the workman did not appear but I find that the evidence of both the parties has been concluded and the case can be disposed off on merits.

13. From the statement of the claimant it appears that the claimant wants to say that he does not understand the meaning of prosecution so he could not fill up the form properly and there was a misunderstanding. Secondly he is contending that during the inquiry proceedings before the inquiry officer as well as before the appellate authority he produced the statement of the abducted persons of Sri Niranjana Shah and the inquiry officer did not take cognizance or relied upon that statement.

14. I have given due thought to this contention of the claimant. Inquiry officer has not committed a illegality in not taking the cognizance of the statement of Sri Niranjana Shah because he is not deciding a criminal case. Enquiry officer has to decide whether there was any suppression

knowingly or otherwise by the claimant at the time of filling up the forms. In such circumstances the contention of the claimant does not carry any weight.

15. This fact is not disputed even either by the claimant that he has not filled the application form. In application form paper no. 11/5 there is column no.27 which contained Hindi as well as English version that is "have you ever been prosecuted at any time of so reasons thereof". Similarly there is an attestation form paper no. 11/12 which also requires the reply from the candidate regarding the same matter i.e. have you ever been arrested or kept under detention etc. In both the columns the claimant has filled the word no. It is true that this word no is not proper, there should have been the word yes and the reasons should have been disclosed.

16. Now the burden lies on the claimant to prove that it does not understand the meaning of the work prosecution or arrest etc and he should have disclosed all these reasons not before the court but before the inquiry officer at the initial stage. But before the inquiry officer he made a statement confessing his guilt vide paper no. 11/33 in which it is stated that—I confess and admit all charges contained in above charge sheet under Para 19.12 (e) of BPS unconditionally.

17. Now making a contention that this application was forcibly taken from the claimant by the inquiry officer is without any evidence. In his statement WW.1 has admitted that he has wrongly filled the form. He also admitted that before filling up the form he was arrested and released on bail. At one stage while admitting his guilt before the inquiry officer he had taken the plea for taking a lenient view by the disciplinary authority.

18. Opposite party witness M. W. Sri Vijai has stated on oath that a detailed inquiry was conducted and the claimant was given full opportunity of defending the same and that there was no breach of principle of natural justice. He was given full opportunity of personal hearing and the disciplinary authority after finding that the charges have been proved dismissed the employee. He stated that they have filed the original inquiry report and punishment order. He has been cross examined and nothing has come out from his statement which make his statement unbelievable. Therefore, the evidence adduced by the opposite party oral as well as documentary is believable. There is no breach committed by the bank of any provisions of Bipartite Settlement or principles of natural justice while conducting the inquiry proceedings. Initial and the main burden lies on the claimant to prove his case, whereas he has totally failed to prove that the inquiry was not conducted fairly and that the principles of natural justice have been violated during the conduct of domestic inquiry against him by the inquiry officer.

19. Opposite party has placed reliance upon a decision of the Hon'ble Apex Court 2003 (97) FLR 117

between kendriya Vidyalaya Sangthan and others versus Ram Lakhan Yadav.

20. In this case there was a termination of service on the ground of suppression of material information in attestation form, at the time of getting appointment order—Despite the fact that a criminal case was pending against him. He mentioned "no" in the form—which is plainly suppression of material information and a false statement—He cannot claim right to continue in service—Tribunal has rightly upheld the order of dismissal—High Court was in error in upsetting the order of the tribunal.

21. In the present case the applicant was appointed on a sensitive post of clerk cum cashier which deals with the cash and public. The employer will definitely wish to employ only such persons who are of high moral standard and does not conceal any thing at the time of appointment.

22. The facts of the case are also similar to the facts of the above decision.

23. Therefore, considering the facts and the circumstances of the instant case, the claimant is not entitled for any relief and also that there is neither any malafide nor any illegality in the action of the opposite party.

24. Therefore, the reference is answered in negative against the applicant and in affirmative in favour of the opposite party.

Dated: 26-07-10

RAM PARKASH, Presiding Officer

नई दिल्ली, 30 जुलाई, 2010

का.आ. 2120.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन बैंक के प्रबंधन के संबंध में निदेशित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ संख्या 36/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-7-2010 को प्राप्त हुआ था।

[सं. एल-12012/3/2007-आईआर(बी-II)]

अनिल कुमार शर्मा, अनुभाग अधिकारी

New Delhi, the 30th July, 2010

S.O. 2120.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.36/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Indian Bank and their workman, which was received by the Central Government on 29-7-2010.

[No. L-12012/3/2007-IR (B-II)]

ANIL KUMAR SHARMA, Section Officer

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM-LABOUR COURT,
CHENNAI

Thursday, the 22nd July, 2010

Present: A. N. Janardanan, Presiding Officer

Industrial Dispute No. 36/2007

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Indian Bank and their Workman)

BETWEEN

Sri K. B. Chandramouleeswaran

: Petitioner/ 1st Party

Vs.

The Asstt. General Manager : Respondent/2nd Party
 Indian Bank Circle Head,
 Circle Office
 Pondicherry - 605011

APPEARANCES

For the Petitioner : Sri K. M. Ramesh, Advocate

For the Management : M/s T. S. Gopalan & Co.
 Advocates

AWARD

The Central Government, Ministry of Labour vide its Order No. 1-12012/3/2007-IR(B-II) dated 26-06-2007 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether the action of the Management in awarding the punishment of “removal from service with superannuation benefits to Sri K. B. Chandramouleeswaran is justified? If not, to what relief is the workman entitled?”

2. After the receipt of Industrial Dispute, this Tribunal has numbered it as I.D. 36/2007 and issued notices to both sides. Both sides entered appearance through their counsel and filed their Claim and Counter statement as the case may be.

3. The background facts of the case, briefly stated are as follows :

The petitioner joined the Indian Bank on 23-01-1984 as Clerk/Shroff in Ariyankuppam Branch, Pondicherry. On 15-09-2001 he was alleged by a memo that on 14-08-2001 he had arrived at a total of Rs. 3,50,243 for 88 payments in Rough Cash Book and then altered it to Rs. 35,22,243. On hearing the total payments figure from the Asstt. Branch Manager as Rs. 35,22,243 and the same has resulted in

excess of Rs. 2,000 in cash with him and that he misappropriated Rs. 2,000, whereafter he arrived at the Cash Balance of Rs. 3,70,499.30 and the same was lodged in Cash Safe by around 0330 PM. It is further alleged that against his usual practice of leaving the branch after keeping the cash in Cash Safe he chose to wait in the branch on 14-08-2001 till the Day Book is tallied. By around 0530 PM it was found that the total arrived in Savings Bank Counter Token Book contained a total mistake of Rs. 2,000 and the actual total payments for the day as Rs. 3,70,499.30 had resulted in excess cash of Rs. 2,000, which the petitioner did not report to the Asstt. General Manager. When questioned the petitioner admitted to have taken Rs. 2,000 from cash and he tendered withdrawal slip drawn on his SB A/c No. 7328 for the amount knowing that the transaction for the day was over. The petitioner debited the said withdrawal slip from his SB Account inserted the withdrawal slip in SB CounterToken Book to cover up the total mistake, overwritten the total in Token Book and total payment figure in Rough Cash Book to appear as altered and included it as Debit Voucher in SB Sectional Day Book and altered the totals. In his explanation dated 22-09-2001 he submitted that on 14-08-2001 he arrived at the total of Rs. 35,22,243 for 56 payments in Rough Cash Book and never made the alteration, that the practice of hearing the total payment figures from the Asstt. Branch Manager is not in vogue. The Clerk attending to duties in SB-II Counter totals all the Token Registers and the Asstt. Manager merely signs it. He specifically any excess cash in his custody and misappropriation by him. He denied having taken Rs. 2,000 or of issue of withdrawal slip. He debited his SB Account for Rs. 2,000 with withdrawal slip no. 278840 dated 14-8-2001 around 0205 PM. On 20-2-2002, he was issued charge sheet with four charges. He was charged for misconduct for doing act prejudicial to the interest of the bank, a major misconduct under Clause-19.5(j) of the Bipartite Settlement dated 19-10-1966 on complaint of the Asstt. Branch Manager. Incharge of the Cash Department and the Manager who had left the branch early on 14-8-2001. A copy of complaint has not been given to him and he was led blindfolded in the enquiry against natural justice. In the enquiry from 27-5-2002 to 18-7-2002, MW1 and MW2 were examined and Ex.MEX1 to Ex. MEX47 were marked on the side of the bank and on the petitioner's side DW1 was examined. The Enquiry Officer acted in a bias and prejudiced manner and the enquiry is not fair and proper. Copy of enquiry report dated 11-1-2003 was supplied to him to which he submitted explanation on 12-3-2003. By notice dated 19-9-2003 punishment of removal was proposed to be issued to him to which he replied on 29-9-2003. In the personal hearing on 1-10-2003 also he pleaded not guilty. He also submitted an explanation on 11-10-2003 to drop action. On 29-12-2003, the proposed punishment was imposed on 9-2-2004. He preferred appeal which was rejected. On 30-11-2004. Without applying mind he is victimized in unfair labour practice by the illegal and unjustified punishment.

The complainant has not been examined with no opportunity to the petitioner to cross-examine him which is evident from the SB Ledger Token Book, Rough Cash Book, Sectional Day Book marked as MEX29 and there was no intentional insertion and the Withdrawal Slip is in the normal course. There is no evidence to show the petitioner to have had entered after 0510 PM to cover the so-called excess cash for Rs.2,000. From the entries in the registers it cannot be said that the debit entry was entered well before 0300 PM on 14-8-2001 well before tallying and closing the cash position. The finding is perverse and is without appreciation of evidence. The petitioner was not suspended till removal indicating lack of seriousness. The Disciplinary Authority did not apply mind. No reason is offered by the Enquiry Officer for preferring prosecution evidence to defence evidence. The evidence may be appreciated under Section-11A of the ID Act. The petitioner encashed PF and Gratuity Amount under protest without prejudice to his right to appeal. Hence the claim.

4. The Counter Statement contentions bereft of unnecessary details read as follows:

On 19-8-2001, the Petitioner made entries in the Cash Book for the payments made on that day and arrived at a total of Rs. 3,50,243 after the closure of the business hours. SB Counter Clerk totaled payments, prepared token book summary and arrived at a figure of Rs. 3,52,243. When the petitioner asked the Asstt. Branch Manager about the total payment figure he was informed the figure as Rs. 3,52,243 and the petitioner altered the total amount from Rs. 3,50,243 to Rs. 3,52,243. The excess of Rs. 2,000 was not disclosed by the petitioner. The cash balance Rs.3,70,499.30 was signed and the cash was kept inside the safe custody. The Day Book Clerk writing the Day Book after 0300 PM found that there was a difference in the Day Book in the Cash Column to an extent of Rs.2,000. Credit summation was Rs.722,360.75 and Debit Summation was Rs.720,360.75. The difference of Rs.2,000 was openly informed by him. The petitioner was present there. On verification of Debit Vouchers and Payment Vouchers it was found that the total receipts tallied with the credit Summation but the total Payment Vouchers were not tallying. Further checking revealed that the total in SB-I Token Book was wrongly totaled as Rs.1,32,700 instead of Rs. 1,30,700 with a difference of Rs. 2,000 by 0330 PM. When the Asstt. Branch Manager asked the petitioner whether he had excess cash of Rs.2,000, the petitioner conceded excess of Rs. 2,000 in the Cash Department. On further questioning he admitted to have taken cash of Rs. 2,000 thinking to have made short payment. He then picked up a withdrawal form credit of Rs. 2,000 signed it and debited the withdrawal in his SB Account and inserted it as last payment and gave it to the Asstt. Branch Manager. He altered the total to appear as Rs. 1,32,700 and total number of payment as 26 which was not passed by the

Asstt. Branch Manager. The petitioner repeatedly regretted for his mistake before the Asstt. Branch Manager and Branch Manager. The punishment is fully justified. It is not by way of victimization or unfair labour practice. The charges were borne out by the records. It was not incumbent to examine complainant or give copy of the complaint forming basis of chargesheet. It is denied that the enquiry was not fair and proper. It was the petitioner who made entry of Rs.2,000 to cover the excess cash he was holding. There was no infraction of principles of natural justice or statutory rules. The bank lost confidence on the workman. The punishment is not disproportionate. The petitioner is not entitled to any relief. The petitioner having received the benefits should be deemed to have acquiesced to the punishment. The claim is to be rejected.

5. Points for consideration are :

- (i) Whether the punishment imposed on the petitioner is justified?
- (ii) To what relief the concerned workman is entitled?

6. Evidence consists of the oral evidence of WW1 and Ex.W1 and Ex.W2 on the petitioner's side and on the side of the Respondent Ex. M1 to Ex. M34 were marked but no oral evidence was adduced.

Points (i) & (ii)

7. On the side of the petitioner Sri K. M. Ramesh, the learned counsel would argue that the instance of the alleged excess cash of Rs. 2,000 that supervened is not a culpable conduct or act but is a mere mistake which cash was adjusted. He would continue to argue that to a Cashier dealing in money it is only a bonafide mistake which is natural to be altered as a logical consequence. There is no consistent evidence of petitioner having admitted the guilt because the various witnesses have no consistent case as to that aspect including witnesses on the side of the Management. He would further argue that there should be some legal evidence to connect the petitioner with the charge of misappropriation which as alleged is at the instance of the workman with 20 years of unblemished service. Admittedly petitioner sought to make good the discrepancy by placing a withdrawal slip for the amount from his account which then has had sufficient money to his credit. It is also admitted that the last entry was made by him. The finding is assailed as not sustainable. The lacunae lies in not acting upon the withdrawal slip issued by the petitioner though all the relevant entries were made. His further contention is that the Branch Manager who gave the complaint was not on duty on the date of the occurrence viz. 14-8-2001 and hence his evidence on the basis of what he heard from the Asstt. Branch Manager, Incharge of the Branch Manager on that day not examined in the enquiry is only hearsay evidence and ceases to be reliable. It is a case of some excess of cash and by preponderance of probability the guilt cannot be tilted against the petitioner. In this case there is no proof of mens-rea.

8. The learned counsel relied on the following rulings in support of his contentions

HARDWARI LAL VS. STATE OF UP AND OTHERS (1999-8-SCC-582) where the Supreme Court held “before us the sole ground urged is as to the non-observance of the principles of natural justice in not examining the complainant, Sri Virender Singh, and the witness, Jagdish Ram. The Tribunal as well as the High Court have brushed aside the grievance made by the appellant that the non-examination of those two persons has prejudiced his case. Examination of these two witnesses would have revealed as to whether the complaint made by Virender Singh was correct or not and to establish that he was the best person to speak to its veracity. So also Jagdish Ram, who had accompanied the appellant to the hospital for medical examination, would have been an important witness to prove the state or the condition of the appellant. We do not think the Tribunal and the High Court were justified in thinking that non-examination of these two persons could not be material. In these circumstances, we are of the view that the High Court and the Tribunal erred in not attaching importance to this contention of the appellant”.

—**KULDEEP SINGH VS. THE COMMISSIONER OF POLICE AND OTHERS (1999-AIR-SC-677)** wherein the Apex Court held “apart from the above, rule 16(3) has to be considered in the light of the provisions contained in Article 311(2) of the Constitution to find out whether it purports to provide reasonable opportunity of hearing to the delinquent. Reasonable opportunity contemplated by Article 311(2) means “Hearing” in accordance with the principles of natural justice under which one of the basic requirement is that all the witnesses in the departmental enquiry shall be examined in the presence of the delinquent who shall be given an opportunity to cross-examine them. Where a statement previously made by a witness, either during the course of preliminary enquiry or investigation is proposed to be brought on record in the departmental proceedings the law as laid down by this Court is that a copy of that statement should first be supplied to the delinquent, who should thereafter be given an opportunity to cross-examine that witness”.

—In the case of **D. VINCENT VS. DIRECTOR OF GOVERNMENT EXAMINATIONS, NUNGAMBAKKAM CHENNAI-34 AND ANOTHER (1987-Writ. L. R. 69)** the High Court of Madras held “though in a departmental proceeding strict standard of proof necessary in a criminal prosecution cannot be insisted upon, at the same time, it would be wholly improper to hold a person guilty, of such a charge except on sufficient and reliable material to prove

that the marks actually obtained were different from those shown in the marks list”.

—In the case of **ANIL KUMAR VS. PRESIDING OFFICER AND OTHERS (1985-AIR-SC-1121)** Apex Court held “it is well settled that a disciplinary enquiry has to be a quasi-judicial-enquiry held according to the principles of natural justice and the Enquiry Officer has a duty to act judicially. The Enquiry Officer did not apply his mind to the evidence. Save setting out the names of the witnesses, he did not discuss the evidence. He merely recorded his ipse dixit that the charges are proved. He did not assign a single reason why the evidence produced by the appellant did not appeal to him or was considered not credit-worthy. He did not permit to peep into his mind as to why the evidence produced by the management appealed to him in preference to the evidence produced by the appellant. An enquiry report in a quasi-judicial enquiry must show the reasons for the conclusion. It cannot be an ipse dixit of the Enquiry Officer. It has to be a speaking order in the sense that the conclusion is supported by reasons”.

—In the case **P. B. ROCHO VS. UNION OF INDIA AND OTHERS (1984-2-LLN-841)**,

9. On behalf of the Respondent Sri T. S. Gopalan, the learned counsel vehemently argued that the case is an instance of misappropriation of money at the hands of the petitioner who had at the fag end admitted having taken the money. This admission is accompanied by an explanation that it was forgotten to make entry of Rs. 2,000 made on the day and therefore it was inserted at a later time. It is proved that the petitioner is guilty of the misappropriation and there is no scope for interfering with the finding or the punishment. Though, he may not be with any proved previous misconduct what is culpable is not the misconduct itself or alone but the propensity to be dishonest which actuated the commission of the misappropriation. It is also pointed out that the conduct of the petitioner in having kept silent for a considerable time of 2 hours as is evident from the enquiry is not helpful to conclude that the omission or the commission could only be an innocent mistake and that the petitioner has been setting the same right by issuing and presenting a withdrawal slip for Rs. 2,000 from his account to make good the excess of cash.

10. On an anxious consideration of the materials, enquiry proceedings and report of enquiry, I am led to conclude that the petitioner cannot be found guilty of misappropriation of the money to the extent of Rs. 2,000. Here we see an instance of an excess of cash of Rs. 2,000 in Cash Column of Day Book as reported by the Day Book Clerk. There was non-tallying of total of payment vouchers with the payment vouchers of the day. On re-checking it was found that the SB Token Book was wrongly totaled as

Rs.1,32,700 instead of Rs.1,30,700. The difference was located at 05.30 PM. The petitioner after keeping the cash in the Safe Room used to leave the branch but he was sitting in the cabin on that day. On questioning by Asstt. Branch Manager, the petitioner is said to have had informed him that he had taken the money thinking that he might have made some short payment, which irregularity he wanted to cure by issuing a withdrawal from for Rs.2,000 against his SB Account having sufficient cash balance. He also altered the total to display the correct figure as Rs.1,32,700. But the withdrawal from was not passed by the Asstt. Branch Manager. For the mistake the petitioner regretted.

11. Our present concern is whether the omission or commission by the petitioner is an innocent one or is an act intended thereby to take to himself the sum of Rs.2,000. His reply to the Asstt. Branch Manager is that he had taken the money thinking that he might have made some short payment. It is in evidence that there have been other alterations of similar nature in the register, on the same day. In order to establish the guilt against the petitioner it is relevant to consider whether the petitioner has had the mens-rea to appropriate to himself a sum of Rs.2,000 on the day. Comprehensively it is not a case with any evidence to tilt the decision against the petitioner even on preponderance of probability. The complainant has not been examined nor copy of the complaint has been given to the petitioner. There is discrepancy in the case pleaded by the Respondent regarding the date of occurrence as 19-8-2001 whereas according to the petitioner it is 14-8-2001. It is doubtful whether the Respondent is under a mistake of fact as to the date of the incident and thereby as to the whole episode of the entire transactions centering around the supervision of excess of cash to the extent of Rs.2,000 in the possession of the petitioner. While the case of the petitioner is a total denial of the whole charges including misappropriation of money by him, the charges do not stand proved with some evidence, say legal evidence or material logically probative to a prudent mind under which it could safely be held that the petitioner is guilty. The complainant viz. Branch Manager not being a witness to the occurrence evidently cannot be said to have had a direct knowledge relating to the incident. His information is what he heard from the Asstt. Branch Manager who was then In-charge of the Branch Manager signifying that the knowledge of the Branch Manager to lodge the complaint is from hearsay information. True, there is no allergy to hearsay provided there is rational nexus and credibility. In this case both the witnesses from the side of the Management as well as on the side of the delinquent are not consistent in their version regarding the aspect that the petitioner admitted before the Asstt. Branch Manager that he had taken the money thinking that he might have made some short payment. In other words admission of guilt by the delinquent cannot be said proved even with some evidence of satisfactory nature to conclude a

finding against the petitioner. To fasten liability upon the petitioner for the retention of Rs.2,000 with him as a case of misappropriation it requires to be proved what the intent of the petitioner was. Whether or not it has been a bona fide mistake in totaling the Rough Cash Book so as to arrive at a discrepant figure thereby showing an excess of Rs. 2,000 with the petitioner the real intent of the petitioner is to be gathered since without mens-rea, the mental element in crime the offence of misappropriation cannot be said to have been committed. We are at dark as to whether the petitioner nursed an intention of appropriating the sum of Rs.2,000 to himself. Devil alone knew what the intent of a man is. As it is held by the High Court of Kerala in the decision of 1984-2-LLN-841 which reads "the distinction between the standard of proof in criminal and civil proceedings is more a matter of words and not one of any great moment. It can indeed become too nice to be discernible, dependent upon what is at stake. This principle holds good with equal force in disciplinary proceedings before departmental authorities, where although the rules of evidence and procedure of a civil court are not strictly applicable, in case involving serious charges with consequences as grave as dismissal, the standard of fairness and reasonableness, as interpreted and adopted by Civil Court will apply to meet the ends of justice. Applying that standard will a fair and reasonable Disciplinary Authority accept the evidence on record as a rational foundation for the finding and the consequences flowing from it".

12. The so-called reply given by the delinquent to the Asstt. Branch Manager on the day that there is an excess of Rs.2,000 and that he has taken it thinking that he might have made some short payment, even if true, is not per se capable of importing into him any element of intention to misappropriate the money. It was obviously made in moments of confusion and the said aspect also deserves consideration to adjudge him guilty or not. Can it tantamount to an admission of guilt? In the context of grave cases of exceptional importance to a citizen, it is the constitutional responsibility and power of the Court to carefully examine the quality of the evidence relied on by the authority to determine for itself whether the requisite standard of proof has been satisfied and where the truth lies as held by the High Court of Kerala in the above decision. Where the exercise of executive power depends on the precedent establishment of an objective fact, it is the power and duty of Court in proceedings by way of judicial review to decide whether the precedent requirement has been satisfied. The degree of proof in all these cases is as high as the subject matter is grave.

13. I am not satisfied that the Enquiry Officer has acted fairly and well within his powers in entering the finding that the delinquent is guilty of the charges. There is no evidence, say legal evidence to arrive at the finding. There is no direct or circumstantial evidence to corroborate which also there is no evidence leaving every state of affairs

in a realm of vacuum of evidence. Therefore, the finding entered is perverse and the same together with the punishment requires to be set aside and I do so. The petitioner is therefore entitled to be reinstated into service. It is a bald statement of the Management to aver that it has lost confidence on the petitioner merely with the not proved charge of misappropriation, a first instance on his part who is with unblemished record of past service.

15. In the result the finding and the punishment are set aside. The petitioner is ordered to be reinstated into service forthwith with 50% backwages, continuity of service and all attendant benefits.

16. The reference is answered accordingly.

(Dictated to the P.A. transcribed and typed by him, corrected and pronounced by me in the open court on this day the 22nd July, 2010)

A. N. JANARDANAN, Presiding Officer

Witnesses Examined:—

For the 1st Party/Petitioner : WW1, Sri K. B Chandramouleeswaran

For the 2nd Party/Management : None

Documents Marked

On the Petitioner's side

Ex.No.	Date	Description
Ex.W1	12-1-2005	Petitioner's Section 2-A dispute filed Assistant Commissioner of Labour (Central), Chennai
Ex.W2	9-11-2005	Remarks/Reply filed by the Respondent before Assistant Commissioner of Labour (Central, Chennai

On the Management's side

Ex.No.	Date	Description
Ex.M1	15-9-2001	Show Cause Notice issued to petitioner
Ex.M2	16-10-2001	Explanation of petitioner to show cause notice
Ex.M3	20-3-2002	Charge Sheet issued to petitioner
Ex.M4	9-5-2002	Corrigendum issued to Petitioner
Ex.M5	27-5-2002/ 18-7-2002	Proceedings of enquiry
Ex.M6	21-8-2001	Letter from Manager, Aryamkuppam Branch to AGM, C.O. Pondicherry
Ex.M7	5-8-2001	Investigation report by Vigilance Officer
Ex.M8	1-9-2001	Interrogation statement recorded by Vigilance Officer from V. Krishnan

Ex.M9	1-9-2001	Interrogation statement recorded by Vigilance Officer from K. Nagarajan
Ex.M10	1-9-2001	Interrogation statement recorded by Vigilance Officer from N. Prabakar
Ex.M11	1-9-2001	Interrogation statement recorded by Vigilance Officer from T. Gowrishankan
Ex.M12	1-9-2001	Interrogation statement recorded by Vigilance Officer from A. Munusamy
Ex.M13	14-8-2001	Token Book dated 14-8-2001
Ex.M14	14-8-2001	Cash Scroll Summary
Ex.M15	14-8-2001	Rough Cash Book
Ex.M16	14-8-2001	Cash Balance Book
Ex.M17	14-8-2001	Day Book-- Credit Side and Debit Side
Ex.M18	14-8-2001	Voucher pertaining to SB A/c 7328
Ex.M19	14-8-2001	Sectional Day Book pertaining to SB account
Ex.M20	14-8-2002	Letter from Presenting Officer to Defence representative enclosing Presenting Officer's summing up, copied to Enquiry Officer
Ex.M21	30-9-2002	Letter from Defence Representative to Enquiry Officer enclosing defence summing up
Ex.M22	11-1-2003	Letter from Enquiry Officer to Disciplinary Authority of Respondent enclosing his findings and other enquiry papers.
Ex.M23	14-2-2003	Letter from Respondent to petitioner enclosing the findings Enquiry Officer and calling for his comments
Ex.M24	12-3-2003	Letter from Respondent forwarding submissions of petitioner dated 12-3-2003 to AGM/Disciplinary Authority, Circle Office
Ex.M25	19-9-2003	Letter from Respondent to petitioner Proposing Punishment and calling for his representation and advising him to appear for personal hearing on 1-10-2003
Ex.M26	29-9-2003	Reply by Petitioner to Disciplinary Authority

Ex. M27	1-10-2003	Proceedings of personal hearings of Disciplinary Authority
Ex. M28	11-10-2003	Letter from Respondent forwarding representation of petitioner dated 11-10-2003 to Disciplinary Authority
Ex. M29	29-12-2003	Order of Disciplinary Authority imposing punishment
Ex. M30	29-12-2003	Letter from Disciplinary Authority to petitioner
Ex. M31	9-2-2004	Letter from petitioner to Appellate Authority
Ex. M32	11-6-2004	Letter from petitioner to Appellate Authority seeking personal hearing
Ex. M33	6-11-2004	Proceedings of personal hearing before Appellate Authority
Ex. M34	2-12-2004	Letter from Chief Manager to petitioner enclosing order dated 30-11-2004 passed by Appellate Authority dismissing the appeal.

नई दिल्ली, 30 जुलाई, 2010

का.आ. 2121.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय जीवन बीमा निगम के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नागपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एनजीपी 115/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-7-2010 को प्राप्त हुआ था।

[सं. एल-17012/9/2002-आईआर(बी-II)]

अनिल कुमार शर्मा, अनुभाग अधिकारी

New Delhi, the 30th July, 2010

S.O. 2121.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.CGIT/NGP/ 115/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Life Insurance Corporation of India and their workmen, which was received by the Central Government on 29-7-2010.

[No. L-17012/9/2002-IR (B-II)]

ANIL KUMAR SHARMA, Section Officer

ANNEXURE

BEFORE SHRI A. N. YADAV, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/115/2002

Date: 23-7-2010

Petitioner :

Smt. Rashmi Arun Pappu,
House No. 9/32, Labour Colony,

Near Hanuman Mandir, Nanded

... Party No. 2

Versus

Respondent :

The Senior Divisional Manager,
Life Insurance Corporation of India,
Lohati Complex, Vazirabad,
Post Box No.84, Nanded

... Party No. 1

AWARD

The Central Government after satisfying the existence of disputes between Smt. Rashmi Arun Pappu (Party No.2) and The Senior Divisional Manager Life Insurance Corporation of India, referred the same for adjudication to this Tribunal vide its letter No. L -17012/9/2002-IR (B-II) dated 12-8-2002 under clause (d) of sub-Section (1) and Sub-section (2A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947) with the following schedule.

“Whether the action of the management in relation to Life Insurance Corporation of India, Nanded Division, Nanded in terminating the services of Smt. Rashmi Arun Pappu, Assistant on 20-10-95 without complying with the provisions of Sec. 25-F of I.D. Act, 1947 is legal and justified? If not, what is the relief to which the workman is entitled to?”

2. The petitioner Rashmi Arun Pappu, approached to this tribunal with the contention that she was initially appointed for 60 days vide letter no. 902 P & I R Dt. 25-11-94 (Document W/5) as Temporary Assistant Nanded Branch in the temporary vacancy that has arisen on account pending vacancies of Regular Assistants on the wages of Rs 1000 basic plus allowances payable, per month. It was minimum salary of the post on which she was appointed. She had succeeded in qualifying written test and interview taken for the same post. She served as Assistant from 6-12-1994 to 20-10-1995 continuously for 319 days vide certificate No. 984 of the Branch Manager (Ex.W2.) Despite the repeated requests she was not regularized hence she filed case before Labour Court, Jalna and on assurance of the management she withdrew it.

3. Her services were terminated without notice, verbally and without following the provisions of the sec. 25(F) and (G) of I. D. Act. Notice was not even displayed on notice board. Thus her oral termination dated 20-10-1995 according to her was illegal arbitrary.

4. The Management appointed the Assistants up to Sr. No. 264 of the seniority list, without considering her working period of 319 days. She worked for 319 days continuously. None of the appointed candidates have completed 240 days service in any year. U. G. Golegankar, whose name is at Sr. No. 227 and absorbed is one of the fortunate persons from their list. He did not work for 240 days. Similarly the management continued to absorb the

candidates up to Sr. no. 269 of the selection list without considering her claim which amounts to discrimination according to her.

5. After various representation and complaints including the publication in news paper she was appointed by offering job for 60 days under letter dated 20-8-1999 but she could not join as she had recently given birth to a child on 2-8-99 and was taking rest as per advice of the doctor. Shri accordingly affixing the certificates of doctor sought time for joining the work up to 15-11-99 and attaching the certificate of the Medical Officer Municipal Committee she informed to the respondent. Despite it she was not given job hence she made representations to Divisional Manager LIC Nanded Zonal Manager Aurangabad, District Magistrate Nanded and other authorities.

6. Under letter No. 602/P & IR Dated 20-9-99 she was offered job of 60 days. (Document No. W 16 dated 27-2-01). Then Under letter 902/P & R dated 30-3-01 (Document no 19) she was given job for 45 days accordingly she joined as her financial condition was critical. She put in satisfactory services but she was terminated on 17-5-01. Under letter Ex. No. 16 Dated 27-2-2001 taking her willingness for accepting the job for 40 days she was appointed. Then the management as per document no. W/ 16 dated 30-3-01 again gave order to her and offered job for 45 days. Document no. 902 dated 30-3-01. She reported to the duties on 3-4-01. She was terminated on 15-7-01. She again made representations as earlier but her representations were not honored hence approached to A.L.C. and the dispute was referred to this tribunal. Certificate No. 984 dated 31-5-01 is also filed by her. She claimed termination of her services without notice and without following the provisions of 25 (g) and (f) which is illegal. The work is still available. It is of perennial nature. She prayed to pass award in her favour directing the management to reinstate her with full back wages, continuity of the services and with all benefits.

7. The management appeared and filed its W. S. resisting the claim. It claims that by virtue of the amendment to the L.I.C. Act in 1981 the corporation has power to make the regulations which includes the power to make regulations providing the terms and conditions of the services of its employee. Sr. Divisional Manager has power to make the appointment on temporary basis in class III and IV employees. As Hon. Tulpule Tribunal passed interim award prohibiting the L.I.C. from making the recruitments on regular basis it has made the temporary, adhoc appointments. As per the Life Insurance Corporation Act, 1956 such employees are not entitled for regularization. The Industrial Dispute act is not applicable to it.

8. Admitting the petitioner was appointed as she was successful and ranked at no. 270 in screening test on temporary basis because of the non availability of immediate regular post. Initially she offered job for 60

days w.e.f 6-12-1974 as per provisions of the L.I.C. Act. Her turn of appointment on regular basis would come only on exhausting the candidates from the list who are above her name. Her temporary appointment was continued due to office exigency up to 20-10-95. Since her termination was due to non revival of contract, she has no right to hold the post beyond the time of contract. According to the management, her termination was on account of the non revival of the contract and it is not a case of retrenchment un/sec.2 (oo) (bb) of the I.D. Act. It has prayed to dismiss the claim.

9. In order to prove the case, the petitioner Rashmi examined herself and the management has examined its officer Sayabu Pitalwar. I have gone through their evidence and perused the various documents filed by her. She has stated vividly as per her claim statement and produced the first appointment order as Assistant Dated 25-11-1994 of 60 days at Ex. W-5. There are no disputes that she worked for 319 days as alleged. It appears that initially she was given the order for 60 days with the dates of starting and expiry of the contract. She has produced Xerox Copy of certified dated 20-10-1995 at Ex. W/11. The management has certificate that she worked from 6-12-94 to 20-10-95 as Assistant on temporary basis. It is dated 20-10-95 means till the date of issuance of it. She has calculated the 319 days. Undisputedly she was orally terminated on 20-10-1995. According to management latter on the contract was neither renewed nor was the period extended. However she was continued to work without any order for 319 days and terminated as soon as she applied for regularization. Her services were terminated without any order and without following the provisions of Sec. 25 (F) & (G) of I. D. Act. These facts are practically admitted by the management. Undisputedly she was appointed after screening test and interview and she worked for 319 days after her first appointment though the order was for particular period. The management claims that her appointment was temporary as per the provisions and the powers of the Manager of L.I.C. Act. It means her appointment was by a person having authority. No doubt due to various representations to all authorities she was offered job for 60 days calling her consent. However, as she had recently delivered the child she informed along with the necessary certificates, her inability to join immediately and sought time. It was valid reason for seeking time for joining the work but the management without considering her representation and her request did not issue or extended the period for joining. Thus according to her she continuously worked for 319 days. It means she worked continuously for more than 240 days as per requirement of law to get the permanency. She has stated that accordingly she acquired a permanency. She made many representations to take her on work but they also went in vain.

10. Again under a letter Dated 20-8-1999 Ex.W8 she was appointed as Assistant for 60 days from the date

of her joining but as she delivered a child she could not join accordingly she informed seeking time to join the duties. She continued to make the representations; the management on 27-2-2001 without any reference offered a job for 40 days as per Ex.W-9. She consented to it. She not only worked from 3-4-01 to 27-5-2001 for 45 days.

11. The Management has examined its officer Shri Sayabu Pitalwar who is justifying its action on the grounds that, the Industrial Dispute Act is not applicable to it. The General Manager has power to appoint the workmen on temporary bases under section 49 (2) of Amended Life Insurance Corporation Act, 1981. Since she was not regularized she is not entitled to claim the benefits u/s 25 (G) & (F) I. D. Act. Her number will come after regularizing the persons from the list whose names are appearing above her name in the list.

12. Let us consider how far the contention of the management are acceptable? Its first contention is regarding the applicability of the Industrial Disputes Act. It is the contention of the Corporation in brief that after the amendment of L.I.C. Act Sec.49 (1) it empowers the Corporation to make regulations providing terms and conditions of its whole time salaried persons and accordingly it has made the Staff Regulations, 1960. Due to the amendment the existing rules, the rules framed under the old act shall be deemed to be the rules made by the Central Government under clause (cc) of sub. sec. (2) of Section 8 of L.I.C. Act. The rules under clause (cc) of sub-sec. 2 of Sec. 84 have effect notwithstanding any settlement, award, judgment, decree and order of any Court, Tribunal or other authority and notwithstanding anything in Industrial Disputes Act or any other law. The Industrial Disputes Act is not applicable to it. This is what the some and substance of its so lengthy contention raised in W. S. However these submissions cannot be accepted simply for the reasons that the rule making powers of any cooperated body cannot have the overriding effect on the provisions of the Act passed by the Parliament. The L.I.C. being the industry not only Industrial Disputes Act but all the labour laws are applicable to it. The L.I.C. Party No.1 cannot claim any immune from the labour and Industrial Laws being industry and when actually it is engaging the workers. It can not continue to take the work for years together from casual labours on the ground of exigency of the work, keeping the sanctioned posts vacant and on the ground that it has power to make rules. Every Corporation has powers to make rules providing the service conditions but it does not mean that I.D. Act is not applicable to it. No doubt they are within the limits of the Constitution. In fact the management under wrong impression or with a view to avoid the liability is misquoting the rules particularly Sec. 49 of the L.I.C. Act, which only gives power to make rules irrespective of the existence of I. D. Act? However the management cannot avoid its applicability as well as cannot make the rules contradictory to the provisions of I.D Act.

13. More over when management wants to stop the services of any workers. It is binding on it to follow the provisions of Secs.25 (F) and 25 (G) I. D. Act. Undisputedly these provisions are not followed which are mandatory for the management.

14. Second thing is that according to management she would be entitled for permanency when the other workers who are above in the list are exhausted. It is pertinent to note that there is no other worker in the list senior to her, at list there is no evidence to prove it. These contentions of the management cannot be accepted. It is not valid reason for avoiding her claim.

15. Thus in my view except the initial period of 60 days. The other orders for further period being without any specific dates of expiry of her service her appointment cannot be treated on contract basis. In fact she was continued without any order for 319 days. She worked on vacant permanent sanctioned post, continuously her termination without following the legal provisions of I.D. Act, 1947 is illegal. Her termination amounts to retrenchment. Since it is without following legal provisions of Sec. 25 (F) & (G) of I. D. Act it needs to be quashed. Similarly she has acquired permanency as she worked for more than 240 days continuously. She is entitled for reinstatement with full back wages. There is nothing on record to refuse the back wages. Accordingly I pass the following order :

ORDER

It is hereby declared that the order of the management terminating her services of the petitioner is illegal. It is quashed and set aside.

2. The management is directed to reinstate her on her post of Assistant with in month from the date of publication of this Award.

3. It shall pay the Back Wages from the date of registration of the reference at C.G.I.T., Nagpur No.115/2002 (i.e., 13-9-2002) till the reinstatement.

Date: 23-7-2010

A. N. YADAV, Presiding Officer

नई दिल्ली, 2 अगस्त, 2010

का.आ. 2122.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (संदर्भ संख्या 72/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-8-2010 को प्राप्त हुआ था।

[सं. एल- 12013/82/98- आई आर (बी-11)]

अनिल कुमार शर्मा, अनुभाग अधिकारी

New Delhi, the 2nd August, 2010

S.O. 2122.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 72/1999) of the Central Government Industrial Tribunal-Cum-Labour Court, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bank of India and their workman, which was received by the Central Government on 2-08-2010.

[No. L-12013/82/98-IR (B-II)]

ANIL KUMAR SHARMA, Section Officer

ANNEXURE

**BEFORE SRIRAM PARKASH, HJS, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, KANPUR**

Industrial Dispute No. 72 of 1999

Between

Assistant General Secretary,
U.P. Employees Union,
C/o Sh. B. P. Saxena,
426-W-2 Basant Vihar,
Kanpur.

And

Bank of India,
The Regional Manager,
BOI, 1st Floor,
Jeewan Prakash, LIC Building,
Sanjay Palace,
Agra.

AWARD

1. Central Government MOL New Delhi vide notification No. L-12013/82/98-IR (B-II) dated 24/30-3-1999 has referred the following dispute for adjudication to this tribunal—

2. Whether the action of the Bank of India, in stoppage of one increment of Sh. A. K. Srivastava, Typist with effect from 11-1-97 is legal and justified? If not what relief the workman is entitled to ?

3. In short the case of the workman is that the claimant was a typist when he was a clerk-cum-cashier. The workman was appointed as clerk-cum-cashier on 12-12-89 and therefore, the union espousing the cause of the workman is approaching the government for suitable amendment in the reference order. The applicant Awadhesh Kumar while working as Kusmara Branch of the bank was served with a charge sheet dated 22-3-96 by the Regional Manager and the disciplinary authority Agra of the Bank. After issuance of the charge sheet the disciplinary authority instituted an inquiry against the applicant and Sri D. P. Chowdhary was appointed an inquiry officer. The inquiry was commenced on 16-5-96 and concluded the same on 12-9-96. It is also pleaded that during the course of conduct

of inquiry the inquiry officer committed the breach of rules of natural justice and on this count the inquiry stands vitiated. After submission of the inquiry report the disciplinary authority issued a show cause notice dated 28-12-96 to the claimant proposing certain punishment therein on the charges. It is further stated that after granting personal hearing the disciplinary authority imposed punishment of stoppage of one increment without cumulative effect on Charge No. 1 and warning on Charge No. 2. The appeal of the applicant failed at the hands of the appellate authority vide order dated 29-9-97.

4. In the above back drop the action of the opposite party in the name of disciplinary action has been challenged on a number of grounds such as Charge No. 1 is to the effect that the applicant has disobeyed the orders of his superiors whereas the hard fact remains that the orders of the branch manager was out of his authority therefore the same is illegal and unjustified. In support of this allegation the applicant tried to find support of the provisions of paragraph 19.7 (b) of the First Bipartite Settlement dated 19-10-66 wherein it has been provide that late coming is a minor misconduct and thus has pleaded that it would tantamount that an employee coming late cannot be denied to join his duties and since the manager did so therefore, the action of the manager is illegal and against the provisions of bipartite settlement. Similarly Charge No. 2 is also vague in as much as unless it is shown from past records that the workman handled as much work as allotted to him on the dates go slow is alleged and that he left the work unfinished to go slow cannot be alleged. It is alleged that there is no whisper about such go slow work in the Charge No. 2. It is further stated that the applicant has been denied to cross examine the witnesses as would be clear from the proceedings of inquiry dated 26-08-96 and 27-08-96. The applicant has further stated that on 29-08-96 he sought adjournment of the proceedings on the ground of illness still the cross examination of the management witness was closed by the inquiry officer and likewise the inquiry officer denied opportunity to cross examine management witness No. 2 and in all proceedings the workman was absent due to his illness. It is the further case of the applicant that he gave the names of defense witnesses but the opposite party denied them TA and DA to attend the inquiry who were the same persons working at the branch where the applicant was posted. The finding of the inquiry officer is perverse as he failed to distinguish between the legitimate orders and orders out with the authority of the manager. Lastly it is alleged that the inquiry officer failed to appreciate the fact that the duty which is alleged to have been left by the applicant is in addition to his normal duties allotted to him.

5. In the end it has been prayed that the above action of the management be held to be illegal and unjustified and stoppage of one increment and warning with effect from 17-01-97 be held to be illegal and unjustified.

6. In the instant case the opposite party has filed two written replies one is unsigned and the other is duly signed and verified on 13th day of November 2000, therefore, the tribunal is not inclined to take any cognizance of an unsigned document.

7. Be that as it may the case of the opposite party as set up by them in their written reply is that the present reference is wrong misconceived and without any substance and therefore is bad in law. Sri A K Srivastava has committed a serious misconduct therefore he was punished for stoppage of one increment and warning after issue of charge sheet and after holding of proper disciplinary inquiry against him. The inquiry conducted against the complainant is proper and legal and he was given fullest opportunity by the inquiry officer in his defense and no illegality has been committed by the inquiry officer in the course of conduct of inquiry. The opposite party has also raised an objection to the effect that the reference order is defective inasmuch as it does not mention the correct nomenclature of the post of the applicant and therefore, without suitable amendment the case cannot be heard and considered as such is liable to be rejected. The opposite party has admitted the fact that the claimant was appointed as clerk-cum-cashier in the bank. It is further stated by the opposite party that while working at Kusmara branch the complainant has committed gross misconduct and wilfully slow down the work allotted to him. He reported for duty late on 17-8-95 at about 10-10 a.m., therefore, the branch manager did not permit him to join the duties and disregarding to the instruction of the branch manager the complainant started working on that very day at the counter. Since he did not obey the oral instructions of the branch manager written instructions were issued at about 10.20 a.m. still the applicant refused to obey the said instructions of the manager. Similarly he has been wilfully slowing down the work allotted to him and leaving the same without completing the same as a result the work allotted to him had to be completed by some other official of the branch and that despite repeated instructions of the branch manager the applicant did not improve his working. The opposite party in Para 9 of their reply has also given certain details to show that the workman is in the habit of leaving the branch without completing the allotted work. An inquiry was instituted against the complainant by the disciplinary authority and he was issued a charge sheet and an inquiring authority was appointed to hold a domestic inquiry into the charges levelled against the complainant. The complaint was given full opportunity to defend his case by the disciplinary authority; therefore, the inquiry conducted by the inquiry officer is fair and perfect in accordance with the rules of natural justice. The charges levelled against the complainant were found proved against him. On receipt of the inquiry finding the disciplinary authority called for submission against the same from the complainant and after considering the same he also granted a personal hearing to the applicant and thereafter the

punishment as challenged was inflicted upon the applicant which is fully just and proper having regard to the gravity of the nature of charges. Lastly it has been prayed that the punishment order passed by the disciplinary authority and upheld by the appellate authority does not call any interference at the hands of this tribunal as the same is perfect and legal.

8. The complainant has filed rejoinder against the written reply of the opposite party but nothing new has been stated therein except reiterating the facts already pleaded by the complainant in his statement of claim.

9. Complainant has filed 4 documents per list dated 23-10-03. Paper No.20/4 is a letter dated 22-3-96 written by the Regional Manager in the name of the complainant, Paper No.20/5 - 6 is charge sheet dated 20-03-96 issued to the complainant, paper No. 20/7 - 8 is the show cause notice issued by the disciplinary authority to the complainant, paper no.20/9 - 12 is the inquiry findings submitted by the inquiry officer which is dated 16-11-96, paper No.20/16-18 is the order dated 29-09-97 passed by the appellate authority, paper No.20/13 is the penalty order dated 17-01-97.

10. On the other hand the opposite party has also filed certain documents such as inquiry proceedings detailed in a register, certain orders of the disciplinary authority and the inquiry officer and also branch order book.

11. I heard the arguments of the parties and perused the record thoroughly.

12. Needless to mention here that the case was fixed on 12-10-04 for evidence of parties, but the evidence of the parties could not be concluded therefore, the case was adjourned to 18-1-05 for evidence of parties. The case was again taken up on 18-01-05, but the authorized representative appeared in the proceedings of the case and submitted that since the workman has not come therefore he would not adduce any evidence in the case. The authorized representative for the opposite party also submitted that since the workman has not given any evidence the management too does not want to adduce any evidence and therefore, the case was fixed for arguments on 21-03-05.

13. On 26-07-2010 final arguments in the case was heard and the case was reserved for award.

14. In view of the foregoing it is quite clear that it is a case where the workman has not adduced any evidence in support of his claim.

15. The authorized representative for the claimant has argued that the charge has been wrongly framed and a wrong charge sheet has been issued. He stated that the charge against the delinquent employee should have been framed under Para 19.7 (b) which provides unpunctual or irregular attendance and it is covered under minor misconduct. Whereas the auth. Representative for the

opposite party contended that the delinquent employee has knowingly and wilfully disobeyed the order of the manager. He was not only late but when he was asked not to join duties orally as well as in writing still he refused to obey the order of the concerned officer and this charge has been levelled as charge no.1 against the delinquent employee which is well covered under para 19.5 (e) of First Bipartite Settlement which provides wilful insubordination or disobedience of lawful and reasonable order of the manager or of a superior. Therefore, there is no force in the contention of the authorized representative for the applicant that the manager has gone out of jurisdiction. In the concerned circumstances it was for the manager to manage the branch.

16. Therefore regarding charge no.1 there is no illegality in issuance of charge sheet.

17. There is another contention by the authorized representative for the claimant that as per charge no.2 opposite party should have mentioned in the charge sheet that when the work was allotted and how long it kept on pending. At this point the opposite party contended that the details of the work and the details of the date has been explained / mentioned in charge no. 2, which contain different dates and charge sheet also mentions the work which has not been completed or wilfully slowed down by the employee. Argument of the authorized representative that there may be heavy work on that day or the work might have been given to the employee just before the closure of the office hours so it was not possible to complete the work for the employee to complete the work on that day. If such was the position the burden lies on the employee to say and prove this fact before the inquiry officer as well to adduce some evidence before the tribunal. Simply stating in the pleadings and arguing on this point will not confer any benefits to the claimant.

18. There are pleadings and aversions that principles of natural justice has not been followed by the inquiry officer and the claimant has not been permitted to cross examine the witnesses and likewise. .

19. In this regard I would like to say that no contention has been raised before me by the authorized representative for the claimant. Whereas the opposite party's authorized representative stated that principles of natural justice have been fully followed. No breach of any rules have been committed by the inquiry officer. Sufficient opportunity was granted to the claimant during the inquiry by the inquiry officer. Opposite party has produced the original inquiry proceedings before the court. A. R., for the workman has not shown me anything which is in violation of the principles of natural justice. Moreover, the burden lies on the claimant to prove that some malafide has been committed by the inquiry officer or there has been a breach of principle of natural justice, but no evidence has been adduced oral or otherwise by the authorized representative for the claimant, therefore, I find that there is no breach of

principle of natural justice and there is no illegality in the conduct of the inquiry by the enquiry officer.

20. Accordingly it is held that the action of the management of Bank of India in Imposing the punishment as referred to in the schedule of claimant reference order is neither illegal nor unjust consequently the complainant, is not entitled to any relief consequent to the present reference. .

21. Reference is accordingly answered against the complainant complaint and in favour of the opposite party.

Date : 27-7-10

RAM PARKASH, Presiding Officer

नई दिल्ली, 3 अगस्त, 2010

का.आ. 2123.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक, चैन्नयी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चैन्नयी के पंचाट (संदर्भ संख्या 22, 23, 24 & 25/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-08-2010 को प्राप्त हुआ था।

[सं. एल-12012/335/99-आई आर (बी-1),

सं. एल-12012/336/99-आई आर (बी-1),

सं. एल-12012/337/99-आई आर (बी-1),

सं. एल-12012/338/99-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 3rd August, 2010

S.O. 2123.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (I.D. No. 22, 23, 24 & 25/2007) as shown in the Annexure in the industrial dispute between the management of State Bank of India and their workmen, which was received by the Central Government on 03-08-2010.

[No. L-12012/335/99-IR (B-I).

No. L-12012/336/99-IR (B-I).

No. L-12012/337/99-IR (B-I),

No. L-12012/338/99-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
CHENNAI**

Tuesday, the 27th July, 2010

**Present: A.N. JANARDANAN,
Presiding Officer**

Industrial Dispute Nos. 22, 23, 24 and 25 of 2007

In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of State Bank of India and their Workmen).

S. No.	I.D. No.	Reference No. & Date	Name of the I Party	Name of the II Party	Appearance for Workman	Appearance for Respondent
1.	22/2007	No.L-12012/335/99IR (B-I) dated 12-03-2007	Sri B. Rengaraj	The Branch Manager State Bank of India	M/s Row & Reddy	M/s K.S. Sundar & P. Thyagarajan
2.	23/2007	No.L-12012/336/99IR (B-I) dated 12-03-2007	Sri M. Selvam	The Branch Manager State Bank of India	M/s Row & Reddy	M/s K.S. Sundar & P. Thyagarajan
3.	24/2007	No.L-12012/337/99IR (B-I) dated 12-03-2007	Sri C. Rathinasamy	The Branch Manager State Bank of India	M/s Row & Reddy	M/s K.S. Sundar & P. Thyagarajan
4.	25/2007	No.L-12012/338/99IR (B-I) dated 12-03-2007	Sri V. Elayaperumal	The Branch Manager State Bank of India	M/s Row & Reddy	M/s K.S. Sundar & P. Thyagarajan

COMMON AWARD

The Central Government, Ministry of Labour vide the above order of references referred the IDs mentioned above to this Tribunal for adjudication.

2. The schedule mentioned in the orders of reference in the above IDs are as under:

ID 22 of 2007

“Whether the action of the Management of State Bank of India, Chennai in terminating the services of S/Shri. B. Rengaraj; M. Selvam; C. Rathinasamy and V. Elayaperumal, temporary messengers is legal and justified? If not, what relief they are entitled to?”

ID 23 of 2007

“Whether the action of the Management of State Bank of India, Chennai in terminating the services of S/Shri B. Rengaraj; M Selvam; C. Rathinasamy and V. Elayaperumal, temporary messengers is legal and justified? If not, what relief they are entitled to?”

ID 24 of 2007

“Whether the action of the Management of State Bank of India, Chennai in terminating the services of S/Shri B. Rengaraj; M Selvam; C. Rathinasamy and V. Elayaperumal, temporary messengers is legal and justified? If not, what relief they are entitled to?”

ID 25 of 2007

“Whether the action of the Management of State Bank of India, Chennai in terminating the services of S/Shri B. Rengaraj; M. Selvam; C. Rathinasamy and V. Elayaperumal, temporary messengers is legal and justified? If not, what relief they are entitled to?”

3. After the receipt of industrial disputes, this Tribunal has numbered it as I.D. 22, 23, 24 & 25 of 2007 and issued notices to both sides. Both sides entered appearance

through their Advocates and filed their Claim and Counter Statements as the case may be.

4. In all these cases, the claims of the petitioners are common. On behalf of the petitioners, a memo was filed to the effect that since the issues are the same, common set of documents is adopted conveying. Memo is recorded. The Respondent has also adduced evidence in common in all the IDs.

5. In the Claim Statements, the common contentions raised briefly read as follows:

The petitioners viz. S/Sri B. Rengaraj, M. Selvam, C. Rathinasamy and V. Elayaperumal joined the service of the Respondent/Bank on 21-11-1987, 09-09-1988, 18-09-1987 and 11-07-1986 in Trichy zone, Pudukkottai branch as Temporary Sub-Staff and thereafter the 1st petitioner completed 504 days in a period of 24 calendar months in the year 1991-1992. The 2nd petitioner completed 480 days in a period of 24 calendar months in the year 1989-1990. The 3rd petitioner completed 480 days in a period of 24 calendar months in the year 1989-1990. The 4th petitioner completed 480 days in a period of 24 calendar months in the year 1990-1991. They filed petitions on 11-02-1995 claiming permanent status before the Inspector of Labour, Trichy under Tamilnadu Indl. Establishment (Conferment of Permanent Status to Workman) Act, 1981 which was opposed by the Respondent as being not maintainable the Act being allegedly not applicable. Further it was alleged that in view of 18(1) settlement between the bank and the employee's federation in 1987, 1988 and 1991 permanent status cannot be given. As per the settlement a list of temporary employees was prepared and the said workmen were included in the list for being absorbed in accordance with the arising vacancies from the waitlist permanently on seniority basis. The petitioner is not a party to the settlement and hence 18(1) settlement is not binding on him. The Respondent/Bank was not exempted under Section-9 of the Conferment of Permanent Status Act and

hence the act will apply. Inspector of Labour in its common order dated 31-01-1997 directed the Respondent/Bank to confer permanent status to the petitioners which the Respondent/Bank denied to them with a belated intimation of termination of their service on 11-03-1993 but without serving the order on the petitioners. WP No. 17576 of 1997 filed by the Respondent before Hon'ble High Court of Madras was against the order of the Inspector of Labour, Trichy. As per order on WP No. 4777 of 2003 filed by the petitioners, High Court of Madras the ID was referred to this Tribunal. Against the order in WP No. 17574 of 1997 and similar batch of Writ Petitions in favour of the Respondent, the petitioner and others by their Writ Appeals filed and which by common order dated 08-01-2007 were disposed of holding the applicability of the Permanent Status Act to the banks including Nationalized Banks. The work of the petitioners as messenger was permanent in nature and denial of permanent status amounts to unfair labour practice. The petitioners have put in more than 240 days in a Calendar Year. The termination is contrary to Section-25F of ID Act. Hence the claim.

6. The Counter Statements, the contentions common in all briefly read as follows:

The claim is not maintainable. The Respondent on emergent needs engaged temporary employees in the subordinate cadre without actual permanent vacancy. They were demanding permanent appointment. Under a scheme drawn in compliance with the central rules, settlement dated 17-11-1987 was entered into under Section-2 (p) and 18(1) of ID Act read with Rule-58 of ID (Central) Rules, 1957 to consider the claims of all temporary employees who were to be given a chance for being considered for permanent appointment against existing and future vacancies for the period 1987 to 1991. As per Clause-2, permanent part time employees were given priority for appointment in both messengerial and non-messengerial categories. As per Clause-3, already interviewed and waitlisted temporary employees as on 31-10-1984 were to be given priority. After them, the other temporary employees were classified as A, B and C, according to their length of temporary service and eligibility. Under Category "A", temporary employees who were engaged 240 days in 12 months or less and under Category "B", employees who completed 270 days aggregate in any continuous block of 36 calendar months after 01-07-1975 and under Category "C", the temporary employees who completed 30 days in any Calendar Year after 01-07-1975 or minimum 70 days in any continuous block of 36 Calendar Months were to be given chance. As per Clause-5, temporary service put in at any of the offices within a particular module were to be taken into account for reckoning the aggregate temporary service. As per Clause-6, appointment was subject to eligibility criteria and medical fitness. Temporary employees were to be interviewed. Suitable candidates were to be waitlisted in the order to their respective categories as per their length

of aggregate temporary service. Temporary employees who worked for more number of days were ranked high. As per Clause-8, reservation policy was to be applied. As per Clause-9, no employee was entitled to backwages or other attendant benefits except increment with further stipulation that temporary employees will not be given any further chances for being considered for permanent appointment and that the appointments will be effective from the date of taking up the permanent appointment. Clause-10 laid an embargo for further temporary engagements in subordinate cadre except for sweepers, watch and ward staff making a complete prohibition. In case of exigency, the engagements were permitted only from the waitlisted panel. As per Clause-11 (1), temporary employees lacking eligibility, casual workmen not on regular pay, temporary employees who worked prior to 01-07-1975, temporary employees gainfully employed elsewhere on regular basis, those temporary employees who failed to apply for permanent employment, temporary employees who concealed material facts regarding age, qualification, etc. were not given chance for considering them for permanent appointment. As per Clause-12, all disputes raised by the affiliate of federation or an individual employee were deemed to have been settled by virtue of the first settlement. Second settlement was entered on 16-07-1988 which provided certain modifications amending year 1987 to 1991 as 1987 to 1992 and making available vacancies arising during the year 1987 to 1992 to the temporary employees to be appointed under the First Settlement, amending Clause 1 of Category "A" of First Settlement substituting those who have completed 240 days temporary service in any block of 12 Calendar Months or less after 01-07-1975 and the final cut-off date 31-12-1987 was extended to 31-12-1988. Under third settlement dated 27-10-1988, the temporary employees were to be appointed against the vacancies likely to arise from 1987 to 1991 but excluded the casual workman or ad hoc employees from being considered for absorption in subordinate cadre under Clause-11(2) of the first settlement who were defined as workmen engaged on casual basis against leave/casual vacancies and paid ad hoc fixed remuneration alongwith eligible categories of temporary employees. The third settlement amended the said clause and included the casual workman or daily wager and accorded to them chance for permanent appointment against vacancies likely to arise from 1988 to 1992. The effect of the third settlement was that the vacancies during 1987 to 1992 should be made available to temporary employees panel and those during 1988 to 1992 should be available to the casual or daily wagers panel of which daily wagers panel was not drawn up. The fourth settlement dated 09-01-1991 modified Clause-1 of the settlement dated 17-11-1987 which was substituted with "1994" in place of "1992". Similarly in Clause-1(A) of settlement dated 17-11-1987, "1988 to 1992" was substituted with "1995 and 1996". Accordingly, interviews for permanent appointment have to be conducted separately for temporary employees

and daily wagers and separate panels prepared. The supplementary panels were to be prepared for including all other eligible temporary employees who could not be included earlier by giving another chance to appear for interview. Supplementary panels were to be used only after the earlier panels of temporary employees have been exhausted. Norms for sanction of subordinate staff (messengers) will be kept in view while preparing supplementary panels. Vacancies arrived at on this basis were to be filled up after suitably deploying surplus staff as per norms. The vacancies were to be filled up as per norms in vogue from time to time. After 1994, panels of temporary employees will stand lapsed with no claim for the remaining candidates for permanent appointment. Panels of daily wagers were to be used for filling up vacancies arising in 1995 and upto December, 1996 where after the same will be lapsed with no claim for the remaining candidates for permanent appointment. If the panels of temporary employees in a circle are exhausted before 1994, the panels of daily wagers available there will be used for filling up the remaining vacancies upto December, 1996. Suitable candidates would be appointed against existing and future vacancies anywhere in the circle. If a candidate does not accept the appointment within prescribed period, he would be deemed to have refused it and shall stand deleted from the panel and shall have no further claim. It was provided that the panel of temporary and the supplementary panel of temporary employees were used for filling up of the vacancies upto 31-12-1994 where after both panels were to lapse with no claim for the remaining candidates. As regards the daily wagers panel drawn separately it was to be used for filling up vacancies arising in 1995-1996 instead of arising during 1988 to 1994. Three different panels were to be drawn in respect of three different categories of employees. Actually the daily wagers panel and supplementary panel of temporary employees could not be finalized in view of interim order of the Hon'ble High Court that no appointment should be made pursuant to second advertisement in The Hindu on 1-5-1991 which provided for wait listing of daily wager. The Court settlement provided for lapse of all the panels once the vacancies were filled up. There was delay in appointment of temporary employees due to delay in arising future vacancies which was meagre. In conciliation proceedings held on 9-6-1995, it was agreed that the four settlements would be implemented after arriving at the number of messengerial posts to be created in terms of the settlement as on 31-12-1994 and the panels of temporary employees/daily wagers/casual labourers should be kept alive upto March 1997 and the vacancies should be filled from both the lists concurrently. No supplementary temporary employees panel or daily wagers panel could be finalized due to High Court's order. The Fifth settlement dated 30-7-1996 was entered as per which the temporary employees main and supplementary panels and the daily wager casual employee panel have to be kept alive upto

March 1997 for filling up vacancies as on 31-12-1994 where after the panels were to lapse. Temporary employees and daily wagers panel were to be kept alive upto 31-3-1997 for vacancies upto 31-12-1994 where after from 01-4-1997 new norms were provided for the appointment of messengers. For the vacancies upto 31-12-1994 drawing names from temporary employees panel or daily wagers panel were to be decided administratively depending upon the local requirements of the circle. The daily wagers list which was agreed upon under the fourth settlement, to be utilized, against the vacancies which were to arise during the year 1995-1996 was amended and the vacancies upto 1994 were substituted. Since the temporary employees wait list and daily wagers wait list were to be operated against the same vacancies, it was agreed that the vacancies should be filled up from both the list concurrently. In view of this settlement, the fifth settlement recites that the said settlement was in partial modification to the earlier settlements and it was further agreed that w.e.f. 1-4-1997 new norms will apply. The Trichy module had waitlisted 652 temporary employees and 212 candidates were appointed. In the first settlement, it was stipulated that in future vacancies only waitlisted temporary employees should be engaged. The petitioners are not a waitlisted candidate(s). Hence their engagement is against the bar. It does not confer a right and hence the claim for permanent appointment is invalid. ID raised by waitlisted temporary employees was dismissed. The petitioners with alleged 20 days and 87 days service in 1987 and 1988 respectively do not have right to appointment and he cannot be appointed since even the waitlisted candidates could not be appointed for want of vacancies. The petitioners were engaged as casual against leave vacancy. Their eligibility was not ascertained and no credentials verified. They were not sponsored through Employment Exchange and are backdoor entrants. They did not work for 240 days or 480 days within 24 or 48 calendar months. They are bound by the settlements which cannot be questioned. The conferment of Permanent Status Act will not apply to the Respondent. They were not engaged after 1-3-1993. The order of the Inspector of Labour dated 31-1-1997 is void. SLP filed by the bank is pending and the order is stayed by the Supreme Court. Whenever leave vacancies cease, the petitioners were not engaged thereafter. The petitioner's claim is not maintainable in view of the decision in Uma Devi's case. The claim is to be dismissed.

7. The evidence consists of the oral evidence of WW1 to WW4 and Ex. W1 to Ex. W39, marked in common in all the IDs on the petitioner's side and the evidence of MW1 and MW2 and Ex. M1 to Ex. M8, marked in common in all the IDs on the Respondent's side.

8. Points for consideration are :

- (i) Whether the termination of the services of the petitioners by the Management of State Bank of India is legal and justified?

- (ii) To what relief the concerned workmen are entitled?

Points (i) & (ii)

9. In all the references, the termination of the workmen is challenged. Their claims are that they are entitled to conferment of Permanency under the Tamilnadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 and that their termination is violative of Section 25F of the ID Act as they have put in service of more than 240 days in a calendar year.

10. It is argued on behalf of the petitioners that the Inspector of Labour, Trichy by order dated 31-1-1997 allowed the claim for eligibility to permanent status which claim is denied by the Respondent on the ground that the act is not applicable to the Bank and that under 18(1) settlements entered with the Employees Federation by the Bank list of temporary employees was prepared for being absorbed in accordance with the seniority. To the settlements the petitioners are not parties and hence not binding them. According to the petitioners, the Act will apply to the Bank since the Bank does not stand exempted under Section-9 of the Act. It is after consideration of all the aspects on the merits that the Inspector of Labour, Trichy found them eligible to be made as permanent. Without approving the claim the Bank was informing the petitioners to have been terminated as on 11-3-1993, 20-8-1993, 31-12-1991 and 25-1-1997 without serving any order. The order of the Inspector of Labour while was under challenge before the High Court of Madras in successive Writ and Writ Appeal as per order dated 8-1-2007, the Division Bench of Madras High Court found that the permanent status Act will apply to the Bank and Nationalized Banks. The same is appealed against by way of SLP before the Supreme Court and is pending. Thereafter the Respondent had been deliberately refraining from allotting work to the petitioners and at a belated stage was informing them their termination without serving any order. There is no delay in raising the ID as such. The delay occurred due to the proceedings pending in various courts. The act of the Management amounts to unfair labour practice upon the workmen who are last grade servants. They had been working as messengers which are of permanent nature and against permanent work. They were also engaged as Sweeper-cum-Water Boy as and when assigned the work from time to time. They are to be reinstated with all benefits.

11. As against this, the learned counsel for the Respondent pointed out that the order of conferment of permanent status is stayed by the Supreme Court in SLP and the same can no longer be a basis for conferment of permanent status to workmen. Even if the relevant State Act is applicable, the workmen should be in service and the benefit cannot be extended to retrenched workmen. He would further contend that when the petitioners were not

messengers by avocation but were Sweeper-cum-Water Boys and whereas the reference is in relation to Messengers they are not entitled to any relief because the reference is whether termination as Messenger is legal. There is no evidence to show that they worked as Messengers and terminated as such. His further argument is that the petitioners were engaged at a time covering the period from 1-7-1975 to 31-12-1987 as the cut-off date during which there was an embargo for appointment and the fact is not in dispute. Therefore, the appointment of the petitioners is against ban and their claim cannot be acted upon. There is also inordinate delay and laches on the part of the workmen to claim the relief after a lapse of 14 years. He would continue to argue that the engagement is not against regular vacancies and that the petitioners cannot be regularized.

12. The reply arguments on behalf of the petitioners by M/s. Row and Reddy are that the petitioners as temporary messengers were also put to any work.

13. The present concern is to focus on whether the petitioners' termination has been illegal and unjustified. The question of conferment of permanent status to them is now a matter not looming large for consideration in view of the fact that the same is sub-judice in view of the pendency of SLP before the Apex Court as well as the admitted fact that the operation of the order allowing conferment of permanent status has been stayed. Even according to the Respondent, the petitioners came to be engaged as temporary employees in the subordinate cadre and the same is not against permanent vacancy. It is not averred in the Counter Statement that it was in the post of Messenger, Sweeper-cum-Water Boy or the like that they were engaged. The Respondent says that they were engaged only under the subordinate cadre. While there was pressing demand from them for permanency, a scheme was drawn up under which settlements, as many as 5 in number were entered into to consider their claims for permanent appointments against existing and future vacancies for the period from 1987 to 1991. As per the settlements, various norms were arrived at under which three different categories of employees and still other types of employees were to be considered for permanent appointment subject to eligibility criteria and medical fitness tested by interviews and wait listing them as per the length of aggregate temporary service. Under the settlements all the disputes raised by the affiliate federation or an individual employee were deemed to have been settled. The said settlements underwent modifications extending the cut-off date to 31-12-1988, among other. There was also stipulation for separate panel being maintained for casual or daily wagers but which panel was not drawn up. Creating supplementary panel for including all other eligible employees who could not be included earlier was also in contemplation which also did not take effect. The vacancies were to be filled up as per norms in vogue. However, there was High Court ban

for the appointment pursuant to second advertisement in the Hindu dated 01-05-1991. The Court Settlement provided for lapse of all the panels against the vacancies that were filled up. With effect from 01-04-1997 as agreed new norms were to apply. The petitioners are not waitlisted candidates. Their engagement from 21-11-1987 is against the bar. Their claim for permanent appointment is invalid. Since even the waitlisted employees could not be appointed for want of vacancies, the petitioners have no valid claim to be appointed. They were only engaged as Casual only against leave vacancy. Their eligibility was not ascertained. They are not employment Exchange sponsored candidates. They are bound by the settlements. The conferment of permanent status Act will not apply to them. When the leave vacancy ceases, they are not engaged. All these are the further arguments on behalf of the Respondent.

14. The above arguments on behalf of the Respondent cannot be countenanced invariably to the prejudice of the petitioners for the reason that though they were engaged as subordinate staff viz. Messenger they were and can be engaged to work in any other capacity. After their having been engaged to meet the emergent needs of the Management as Temporary Sub-Staff and having utilized their services though not against actual permanent vacancy now it cannot be said that their appointment is not valid or that they were not employed through the Employment Exchange or that they are backdoor entrants. The argument that they were appointed at a time when there was ban for appointment also does not sound to reason because even though there was embargo for further temporary engagements in the subordinate cadre Clause-10 of the Settlement dated 17-11-1987 carved out an exception in the case of an engagement of Sweepers, Watch and Ward Staff, etc. It is to be noted that the petitioners who were appointed under subordinate cadre were engaged as Messengers, Sweepers-cum-Water Boy, etc. Therefore, discernibly they are to be regarded as being engaged as Temporary Sub-Staff within that exception and therefore beyond the ban. Though the petitioners were not parties to the settlements as they claim it is denied by the Respondent that the settlements do not bind them. It is admitted by the Respondent that the petitioners do not come among the waitlisted candidates. It is alien to comprehension if they have had formed a class of temporary employees why they also did not come to be included as waitlisted candidates for being permanently absorbed in the sub-cadre staff under the Management. If in spite of they having been Temporary Sub-Staff under the Management clamouring for being made permanent why they stood kept outside the waitlisted candidates for being absorbed. Under the settlements in the wake of a scheme evolved for considering the question of permanent status to the workmen where even workmen with less and less number of days of attendance of work rather than the petitioners, who claim to have had continuously worked for 240 days within a period of 12 months and 480 days

within a period of 24 months are considered, the petitioners do not stand included in the waiting list for being considered for permanent appointment is a pertinent question. Even if the petitioners were not parties to the settlements and were not waitlisted should they not have a right for being made permanent on par with the temporary employees with or without the same length of service under the Management? Independent of the rights under settlements emanating under the evolved scheme are they not entitled to such rights if any blossomed in their favour under the statute? Can it be said that even when the waitlisted candidates could not be appointed for want of vacancies, the petitioners cannot have right to be appointed to permanent status? In this context it again poses as another relevant question; viz. Is the concept of regularization impossible to an eligible workman (and only if eligible) under the mandate of a statute even when such regularization could be made available and possible by means of settlements reached between parties and evolved under a scheme framed according to rules? In other words even when there are workmen like the petitioners with claims (tenable or untenable) for regularization on the strength of sufficient lengths of period of service rendered under which they could be on a better pedestal than workmen with less and less number lengths of service for preferential treatment why ignoring them the others with less eligibility are sought to be made permanent or regularized in negation of the legitimate claim of the former for priority treatment. It is also pertinent to ask why the eligibility of the petitioners was not ascertained and their credentials not verified. It is again relevant to consider that as far as workers of unskilled nature are concerned their sponsoring through the Employment Exchange is not obligatory. It cannot be heard to say that when they were engaged purely on emergent needs of the Management, their engagement is not legal or is invariably backdoor entry. There is ostensible proof to show that they have worked for 240 days for a period of 12 months preceding the termination. The argument that the decision in Uma Devi's case prohibits the petitioners' claim does not sound to reason because it has been made clear by the Apex Court that the said decision is given directing the High Courts and Supreme Court not to issue orders of regularization of temporary employees against the Recruitment Rules and norms of procedure where such an order would affect the claims of open candidates for their equal claims for appointment in Government service. While settlements arrived at on the basis of evolved schemes could override the mandate of the decision in Uma Devi's case, is it sustainable to contend that Section-30 of the ID Act is not to prevail upon the decision in Uma Devi's case in protection of the interest of the workmen against being exploited at the hands of their employers? The decision is not to be applied to cases where benevolent labour legislation has its say in consideration of industrial harmony and to safeguard the interest of workmen against unfair labour practice. According to the petitioners they

are being ignored due to unfair labour practice. They were terminated by violating the provisions of Section -25F of the I D Act abruptly with a mere intimation that they have been terminated. They were not given any order of termination. The same is void. They are therefore entitled to be reinstated into service with all benefits.

15. In order to succeed it is for the petitioners to prove that independent of the settlements reached by the Bank with the Federation of Employees consequent to the formation of a scheme for the consideration of conferment of permanent status to the temporary employees who happened to be appointed by the Management due to emergent needs from time to time that they are entitled to the statutory rights under Section-25B and Section-25F of the I D Act and for conferment of permanent status under the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workman) Act, 1981. As already mentioned Conferment of Permanent Status is not germane for consideration at this stage due to the stay of the Apex Court. The case of the petitioners is that they are not parties to the settlement and therefore they are not bound by the settlements. Therefore, the claims of the petitioners, in order to sustain, should proceed and be substantiated by the fact that they have actually worked continuously for a period of not less than 1 year from the dates of their initial engagement. While it is asserted by the petitioners that they have completed 240 days continuous duty from the date of their engagement till the date of termination, the same is keenly denied by the Respondent. However, going by the records it could be seen that the petitioners case is true and the Respondent's case tends to be false as to this aspect. The impugned delay in raising the ID or in the reference also does not assume significance in view of the fact that discernibly the matter was being agitated authorities or courts during the interregnum. Therefore, their termination without compliance of Section-25F of the ID Act is illegal and unjustified, the same being without notice or notice pay or the compensation payable on termination.

16. In the result all the petitioners in ID 22/2007, 23/2007, 24/2007 and ID 25/2007 are entitled to be reinstated into service forthwith with continuity of service and all attendant benefits but they are not entitled to backwages for the whole period during which they remained out of employment of Respondent. After reinstatement into service the Management may start a process for the regularization of the workmen if and in accordance with the rules in vogue they are entitled to the same.

17. The reference is answered accordingly.
(Dictated to the PA, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 27th July, 2010)

A.N. JANARDANAN, Presiding Officer

Witnesses Examined :—

For the 1st Party/Petitioner : WW1, Sri B. Rengaraj
WW2, Sri M. Selvam
WW3, Sri C. Rathinasamy
WW4, Sri V. Elayaperumal

For the 2nd Party/Management : MW1, Sri M. Mahalingam
MW2, Sri C. Mariappan

Documents Marked :—

On the petitioner's side

Ex. No.	Date	Description
Ex.W1	25-01-1990	Respondent letter to the Petitioner
Ex.W2	08-08-1991	Correspondence among respondents
Ex.W3	24-08-1991	Correspondence among respondents
Ex.W4	25-03-1991	Correspondence among respondents
Ex.W5	27-03-1996	Correspondence among respondents
Ex. W6	1995	Application for permanency filed by M. Selvam before the Inspector of Labour and Counter filed by the Respondent and reply filed by the petitioner
Ex. W7	31-01-1997	Common Order passed by the Inspector of Labour, Thiruchirapalli
Ex.W8	07-09-2006	Order passed in WP Nos. 17573 to 17576 of 1997 by Hon'ble High Court, Madras
Ex.W9	08-01-2007	Order passed in WA Nos. 1372 to 1375 of 2006 by Hon'ble High Court, Madras
Ex. W10	29-01-2007	Order passed in WP Nos. 4776 to 4779 of 2003 by Hon'ble High Court, Madras
Ex. W11	15-05-1991	Certificate given by Respondent
Ex. W12	16-05-1991	Petitioner letter to the Respondent

Ex.W13	29-06-1989	Respondent letter to the Petitioner
Ex.W14	19-09-1992	Respondent letter to the Petitioner
Ex.W15	14-05-1992	Petitioner letter to the Respondent
Ex.W16	18-09-1992	Petitioner letter to the Respondent
EX.W17	30-07-1996	Petitioner letter to the Respondent
Ex.W18	—	Petitioner letter to the Respondent
Ex.W19	1995	Application for permanency filed by C. Rathinasamy before Inspector of labour and counter filed by the Respondent and reply filed by the petitioner
Ex.W20	—	Certificate issued by the Respondent
Ex.W21	12-05-1992	Certificate issued by the Respondent
Ex.W22	30-11-1994	Certificate issued by the Respondent
Ex.W23	13-06-1995	Certificate issued by the Respondent
Ex.W24	03-01-1996	Certificate issued by the Respondent
Ex.W25	25-01-1997	Certificate issued by the Respondent
Ex.W26	09-10-1995	Application for permanency filed by V. Elayaperumal before the Inspector of Labour and Counter filed by the Respondent and filed by the Petitioner
Ex.W27	06-09-1991	Correspondence among Respondents
Ex.W28	05-10-1991	Correspondence among Respondents
Ex.W29	18-02-2002	Correspondence among Respondents
Ex.W30	02-03-1992	Correspondence among Respondents
Ex.W31	20-03-1992	Correspondence among Respondents
Ex.W32	23-03-1992	Correspondence among Respondents
Ex.W33	30-03-1992	Correspondence among Respondents

Ex.W34	—	Certificate issued to B. Rengaraj
Ex.W35	02-04-1992	Correspondence among Respondents
Ex.W36	05-12-1995	Correspondence among Respondents
Ex.W37	09-10-1995	Application for permanency filed by B. Rengaraj before the Inspector of Labour and Counter filed by the Respondent and reply filed by the Petitioner
Ex.W38	30-4-2009	Copy of the judgement in WP No. 16978/2008
Ex.W39	—	Copy of the petition for Special Leave to Appeal (Civil) No. 15948-51 of 2007 before Supreme Court

On the Management's side

Ex.No.	Date	Description
Ex.M1	17-11-1987	First Settlement
Ex.M2	16-07-1988	Second Settlement
Ex.M3	09-01-1991	Third Settlement
Ex.M4	27-10-1988	Fourth Settlement
Ex.M5	09-06-1995	Minutes of RLC Hyderabad
Ex.M6	30-07-1996	Fifth Settlement
Ex.M7	14-09-2007	Order in Stay in SLP No. 15948 to 15951 of 2007
Ex.M8	14-03-1992	Copy of Staff Subordinates absorption of temporary messengers Bipartite Agreements dated 17-11-1987, 27-10-1988 and 09-01-1991. Candidates found suitable for permanent absorption in the bank against vacancies arising till Dec. 1994. Tiruchirapalli

नई दिल्ली, 3 अगस्त, 2010

का.आ. 2124.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक, कानपुर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट (संदर्भ संख्या 169/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-8-2010 को प्राप्त हुआ था।

[सं. एल-12012/31/98-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 3rd August, 2010

S.O. 2124.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 169/1998) as shown in the annexure, in the Industrial Dispute between the management State Bank of India, Kanpur and their workmen, which was received by the Central Government on 03-08-2010.

[No. L-12012/31/98-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE SRI RAMPARKASH, HJS, PRESIDING
OFFICE, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, KANPUR.**

Industrial Dispute No. 169 of 1998

Between

Shri Shyam Manohar
S/o Ram Datt,
C/o Sri B. P. Pandey,
106/371, Heeraganj,
Kanpur

And

The Branch Manager,
Bhartiya State Bank,
Kidwai Nagar,
Kanpur.

AWARD

1. Central Government MOL New Delhi vide notification No.L-12012/31/98-IR(B-I) dated 01-09-98 has referred the following dispute for adjudication to this tribunal

2. Whether the action of State Bank of India, Kanpur in terminating the services of Sri Shyam Manohar concerned workman with effect from 31-3-80 is justified? If not to what relief the workman is entitled to?

3. It may be pointed out here that earlier the reference was referred to the tribunal on the point of regularization of the workman but subsequently vide corrigendum dated 07-09-2000, the schedule of reference order was amended to read the same as termination of the service of the workman instead of regularization of the service of the workman. Subsequently vide corrigendum dated 16-01-07, Naubasta Branch of the opposite party was also included as a party in the present reference.

4. In the instant case the workman on receipt of the reference order has filed his statement of claim on 15-12-98, but subsequently after receipt of corrigendum

dated 16-01-07, the workman filed additional claim statement. Likewise is the case of the opposite party which too has filed written reply and additional written reply in the case.

5. Worker's case in short is that the branches operating in the city of Kanpur are under the supervisory control of the Chief General Manager, State Bank of India, The Mall Kanpur. It is alleged that the manpower strength of the opposite party is more than 2000 employees and as such removal of any employee other than dismissal prior permission of Labour Authorities under Section 25N of the Act is required. It is also alleged that the juniors have been retained by the opposite party after the termination of the services of the workman thus the opposite party has breached the provisions of Section 25G of the Act and also that the workman was neither paid any notice, notice pay nor retrenchment compensation at the time of dispensation of his service by the opposite party thus the opposite party further breached the provisions of Section 25F of the Act and that the opposite party further breached the provisions of Section 25H of the Act when it recruited fresh hands in their employment without providing any opportunity of re-employment to the workman. It has also been claimed by the workman that he should be deemed to be in continuous employment of the branch and his services have been utilized regularly by the Branch Manager of Naubasta Branch, initially in class IV category. The applicant had been appointed against a regular and permanent post at Kidwai Nagar Branch of the Bank in the year 1973. Sri Suresh Kumar was appointed in the same category in the year 1974 and is still allowed to continue in the employment in the regular grade and scale of pay. The applicant in the year 1973 was allowed to render 89 days of service and for 91 days in the year 1974 to carry out the work of messenger but intentionally on record the workman has been shown as water boy. Besides receipt of salary the applicant for the above period also received bonus similar to other employee of the branch. The branch classified the workman as daily wager workman.

6. It is stated by the workman that in the month of April 1979, the opposite party again engaged the services of the workman at Naubasta Branch of the bank to carry out the work of messenger. The post against which the workman was appointed was sanctioned and permanent post. The workman rendered satisfactory service on that post till after noon of 31-3-1980 and this continuous employment restrained the management to remove him from service without complying with the mandatory provisions of the Act. It is also pleaded by the workman that the opposite party retained the services of several juniors at its different branches after his removal from service with effect from 31-03-80. It is also pleaded that the opposite party did not care settlement arrived at from time to time which provide that whosoever has even rendered 30 days service shall be considered for appointment. During the period 31-03-80 till now the opposite party has recruited as

many employees but the applicant has never been given a chance even to participate in the interviews held for the new recruitment in class IV category.

7. It is alleged that the salary / wages were being paid through the charger register at Kidwai Nagar Branch and thereafter at Naubasta Branch. There is no canteen at Naubasta Branch and he has not discharged any duties in Canteen. Head Office was established in the year 1979 at Naubasta Branch and the claimant on the basis of his past employment in the IV class category as a messenger / daily wager was employed from 14-04-1979 and continued till after noon of 30-3-80. He was required to deliver the usual dak to the Head Office Mall Road as well as to the other branches through the peon book for which allowances were paid to him through the petty cash book / register. It is also alleged that Sri Suresh and Chhuni who never rendered their services similar to the applicant for such a longer period though were shown as canteen boy has been sleeved and proofed the regular employment in the IV class category, this action of the bank is neither fair nor proper. He completed more than 240 days in Naubasta Branch in the capacity of messenger. It is also stated that he could not get the job elsewhere despite of his best efforts till date.

8. On the basis of above pleadings it has been prayed that the action of the management be held to be unjustified and the applicant be directed to be reinstated in the service of the opposite party with effect from 31-3-80.

9. Opposite party has opposed the claim of the claimant. It is stated that the claim of juniority and seniority is bogus for want of detailed pleadings. A canteen boy cannot claim seniority over the other regular employee of the bank. It is admitted that the claimant was allowed to work for 89 days in 1973 and 91 days in 1974. It is also stated that the branch manager has no right power or authority to appoint a class IV employee in the branch. He simply can engage a class IV employee to meet the emergent/urgent need. All the regular appointment remade at the Zonal Office Level. As per settlement of 1987, 1988 and 1991 a canteen boy is not entitled to get any benefit. The claimant in his application dated 01-01-91 himself admitted that he had been working as canteen boy. It is also stated that the claimant has not worked for 240 days at Naubasta Branch of the bank hence it is not a case of retrenchment. The claimant is not entitled for the benefit of the provision of Section 25F, 25G and 25H of the Industrial Disputes Act. Present Industrial Dispute has been raised after a lapse of 25 years therefore; his claim is not maintainable in the eye of law. It is also stated that the matter being very very old, therefore, the documents of that period of the year 1979 to 80 and before that are not traceable / available and most of the officers have retired or expired. It is stated that during the period 1979-80 the claimant was being paid salary by LIC and not by the bank because he was working with the canteen as canteen boy. It is stated that for the

recruitment in the bank there is a prescribed procedure and the claimant was never appointed through the prescribed procedure and he was never paid salary allowances and other benefits which are paid to a regular employee. It is also stated that both the branches Kidwai Nagar and Naubasta are independent. Therefore it has been claimed by the opposite party that the claim petition of the petitioner is not maintainable and is liable to be rejected and should be rejected.

10. Both the parties have adduced oral as well as documentary evidence.

11. Claimant has filed 15 documents vide list dated 17-11-05, but the tribunal is inclined to refer only those documents which are relevant to the facts of the case during the course of discussion. Claimant has also filed 20 documents vide dated 05-06-2000. List nos.21/1 and 21/2. Most of the documents are in the nature of photocopies and some quite illegible and some are the photocopies of the original documents already filed by the applicant. Claimant has also filed certain documents along with affidavit vide affidavit paper nos.36/2 to 36/4 and these documents are paper nos.36/5 to 36/9.

12. Opposite party has also filed photocopy of settlement of 1987, 1988 and 1991, claim before ALC, written statement before ALC, application dated 08-04-88 and 18-08-88 which will be discussed at the time of recording findings of the case.

13. Both the parties have adduced oral evidence and the claimant has adduced himself two times and he is numbered as W.W.1 as Shyam Manohar. Opposite party has adduced M.W.1 Sri Chandan Singh Yadav who is branch manager of Naubasta Branch in evidence.

14. Heard the arguments perused the whole record. It is true that there is a huge record but I will refer all the relevant which may be help full for giving justice to the parties.

15. The main point of contention is that whether the claimant has been engaged as a messenger class IV post by the branch manager Naubasta Branch or he has been engaged as a canteen boy by the Naubasta Branch canteen. To determine this point I have considered and analyzed the oral as well as documentary evidence. It is the contention of the opposite party that banking branch being a public institution there is a prescribed procedure for appointment for the post of messenger or any other post. Branch Manager of the bank does not have any power to appoint or engage for the post of messenger. It is alleged that the claimant was engaged as a canteen boy by Naubasta branch of the bank.

16. M.W.1 branch manager Nubasta Branch Sri Chandan Singh has specifically stated in his statement on oath. He stated that there was a canteen running at the

branch for the purpose of service tea etc by the local staff and it was started in the year 1972. There is a suggestion put to him by the claimant that the canteen was established in the year 1979. This suggestion has been denied. For a moment if this suggestion is taken note of it even then the crucial period is 1979-80. W.W.I stated in his cross at page six that he does not know whether the payment was made to him as canteen boy. He also stated and admitted that first he raised the dispute before the ALC in that dispute he has shown himself as canteen boy. He admitted that the certificates dated 12-08-88 given by the bank also shows him working as water boy and he stated that it is true and he does not have made any complaint before any of the senior officer of the bank. He also admitted that he was not being paid the scale pay at Naubasta and he did not make any complaint. Claimant has filed 16 documents. Most of the documents have been referred to the claimant by the opposite party. It is an admitted fact that he did not start writing or making any complaint before the year 1986. His application dated 08-08-86 paper no.37/3 and application paper no. 37/7 given to Kidwai Nagar Branch date is given on the back which 18-08-88 another application paper no.37/9 dated 02.08.89, does not disclose that he had been working at Naubasta branch. There is a reference of working at Kidwai Nagar Branch only. Most important is his application paper no.37/12 dated 12-09-88 which has been put to him which is signed by him and is admitted to him. There is a clear admission that he worked as water boy in the year 1973-74 and he worked as water boy at Naubasta Branch of the Bank. Now it is argued and tried to be proved that it was got written forcibly by the management. This argument and version is not supported by any evidence. Paper no. 37/13 dated 18/08-92 application by the claimant also speaks that he worked for 8 months in the year 1979-80 at Naubasta Branch as Canteen Boy-cum-water boy. Another paper no.37/14 dated 10-11-95 is an application of the claimant. This application also does not indicate that he had been working as messenger at Naubasta Branch. He stated that he worked in the year 1980 but about the year there is an overwriting. There is a word "Mah" month and before that there is overwriting.

17. Much stress has been placed on the papers which were produced before the ALC Kanpur, these papers are paper nos. 36/5 - 36/7. It is the contention of the claimant that as he was being paid as conveyance charges. So he should be treated as messenger and the same is paid only to the working employee. This fact has been opposed by the opposite party. Even if I take the cognizance of this paper for which claimant relies it clearly mentions as list rates of conveyance charges paid to Sri Shyam Manohar Canteen Boy. There is further endorsement dated 01-02-80, written as to amount salary of canteen boy for January 80 paid to Shyam Manohar. Similarly there is endorsement dated 01-03-80. It also indicates the salary paid to the

canteen boy and for a moment cognizance is taken of this paper it shows that for few days say 20 days some payment has been made from petty cash register. But this paper no. 36/7 cannot be treated as a cogent evidence for the purpose that the claimant has been employed or engaged as a messenger because the claimant himself has filed numerous applications wherein he specifically admitted his status as a canteen boy.

18. According to him he has raised the dispute before the ALC and he himself filed the papers which are paper nos. 21/17 and 21/37, wherein he has specifically admitted about his working as water boy / canteen boy. Therefore, there is a force in the contention of opposite party that the claimant has never been engaged as a messenger but as water boy by the canteen of Naubasta branch of the bank.

19. When this fact has not been established and proved by the claimant that he has been engaged as a messenger class IV post at Naubasta Branch then question of continuous working of 240 days in a calendar year for the period 1979-80 does not arise in this case.

20. Ruling 1986 Lab. IC 1998 Hon'ble Supreme Court, Workmen of American Express International Banking Corporation versus Management of AEI Banking Corporation does not confer any benefits to the claimant. I respectfully agree with the principle laid down by the Hon'ble Supreme Court.

21. Similarly the ruling 2009 (120) FLR 12 Allahabad High Court, Lucknow Bench in between Krishna Chandra Yadav and Regional Manager CBI Lucknow and

22. (2010) 1 SCC (L&S) page 1 in between Director Fisheries Terminal Department versus Bhikhu Bhi Meghabai Chavda does not confer any benefit.

23. The claimant cannot take any advantage of the rulings cited above.

24. It has been contended by the opposite party that MW.1 is not a material witness and produced a decision 2000 (84) FLR page 3 Supreme Court in between Hardwari Lal and State of U.P. I respectfully agree with the principle laid down by the law laid down by the Hon'ble Supreme Court but in the instant case the claimant has to stand on his own leg but he cannot take any benefit of this ruling. Opposite party has clearly pleaded and stated in his arguments that the matter relates to the year 1973-74 and then 1979-80 then it is very difficult to keep the records which is not otherwise required. I agree with the contention of the opposite party.

25. Therefore, in this case as the claimant has not been found working for 240 days as messenger at Naubasta Branch then question of retrenchment does not arise therefore, the opposite party has not breached any of the provisions of the Act such as 25F, 25G and 25 H of the Act.

26. There is another contention of the claimant that one Sri Suresh and Chunu who were junior to him have been employed permanently. Opposite party has firstly contended that it is beyond the scope of the reference.

Secondly he stated that there is no parentage and other details of these two persons so in the absence of these details they could not furnish the required particulars. I fully agree with the contention. First it was not in the reference. Reference, was also amended a number of times pleadings were filed on a number of times so it was the duty of the claimant to give full and correct particulars of these persons in the claim statement as well before the ALC. I have analyzed the evidence in this regard and find that no cogent evidence has been given by the claimant. Therefore, claimant also fails to prove this fact.

27. Both the parties have much said on the point of delay and placed rulings but I have considered this point also whether there is any necessity to condone the delay in the circumstances of the case to impart substantial justice between the parties. When on the facts of the case the claimant is not entitled for any relief then it is not fruitful to discuss much on the point of delay.

28. Before parting with the award it may also be pointed out that the opposite party has also placed reliance upon a number of decisions.

29. 2000 Lab IC 1481, Hon'ble Apex Court State Bank of India and others versus SBI Canteen Employees Union and others. In this case the Hon'ble Apex Court has clearly held employees of canteen run by LIC cannot claim to be absorbed as employee of banks. Canteen run by LIC is non statutory canteens.

30. They placed reliance 2008 LAB IC 4210 SC Ranic Nagar Palika versus Babu Ji Ghabhaji Thakur and others wherein regarding retrenchment Hon'ble Apex Court held that the claim of workman of 240 days continuous working—burden of proof lie upon a workman.

31. In view of foregoing discussions it is held that the action of the management in terminating the workman is just and accordingly the workman is not held entitled for any relief.

32. Reference is therefore, decided against the workman and in favour of the bank.

Dated 30-7-2010

RAM PARKASH, Presiding Officer
नई दिल्ली, 3 अगस्त, 2010

का.आ. 2125.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डिविजनल पर्सनल ऑफिसर, साउदर्न रेलवे, ट्रिवेंद्रम के प्रबंधन के संबंध में उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, एरणाकुलम के पंचाट (संदर्भ संख्या 40/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-8-2010 को प्राप्त हुआ था।

[सं. एल- 41012/73/2001-आईआर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 3rd August, 2010

S.O. 2125.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the Award (Ref. No. 40/2008) as shown in the annexure. in the industrial dispute between the management of Divisional Personnel Officer, Southern Railway, Trivandrum and their workman, received by the Central Government on 03-08-2010

[No L-41012/73/2001-IR (B-1)]

RAMESH SINGH, Desk Officer

ANNEXURE

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present : Shri P. L. Norbert, B.A., LL.B., Presiding Officer
(Wednesday the 23rd day of July, 2010/1st Shravanam, 1932)

I.D. No. 40/2008

Union : The General Secretary,
Southern Railway Men's Union,
Prakash Bhavan, Pallikkavuparambu,
Railway Station Road, Tripunithura.
By Adv. Sri C. S. Ajith Prakash.

Management : The Divisional Personnel Officer,
Southern Railway, Trivandrum.
By Adv. Sri M. C. Cherian.

This case coming up for hearing on 21-7-2010, this Tribunal-cum-Labour Court on 23-7-2010 passed the following.

AWARD

This is a reference made under Section 10 (1)(d) of Industrial Disputes Act. The reference is :

"Whether the action of the management of Southern Railway, Trivandrum Division in not granting temporary status from 28-6-1975 to Shri T. T. Iype is justified? If not, what relief he is entitled to?

2. The facts of the case in brief are as follows:

Sri. T.T. Iype was a Casual Labourer in the service of Railway from 28-06-1975. He worked as such till 29-04-1989 when he was terminated from service on the ground of medical unfitness. It was challenged before State Industrial Tribunal Ernakulam and the railway was directed to reinstate him. He was taken back, and posted in a lower category which required lower medical classification. But again he became medically unfit for all categories of work in the railway services w.e.f. 08-10-2007. Hence he was kept in supernumerary post from that date. While so he opted for voluntary retirement on medical grounds. As such his services were terminated on invalid pension w.e.f. 20-05-2008.

3. According to the union which has espoused the cause of the workman he was working continuously as casual labourer in the open line from 28-06-1975 onwards. He was eligible to get temporary status after completion of 120 days continuous service as casual worker. However the management granted him temporary status only w.e.f. 15-02-1989. Hence this dispute.

4. According to the management the workman was engaged as casual labourer in project work on 28-06-1975. After the completion of each project work his claim was settled. Thus he was engaged during intermittent periods up to 29-04-1989. Then he was found medically unfit in B-1 category and his services were terminated. He raised dispute which was adjudicated and as per the award he was reinstated in service on 13-12-1995. He had never raised any claim for temporary status prior to his reinstatement. He was posted in a category requiring lower medical classification as drainage gangman. However he again became fully medically unfit and hence he was terminated from service on 20-05-2008 on invalid pension. On his request his son was given job in the railway on compassionate ground on 30-10-2008. The present claim is highly belated and unsustainable.

5. In the light of the above contentions the following points arise for consideration :

1. Is the claim stale?
2. Is the workman entitled for temporary status on completion of initial 4 months service?

6. The evidence consists of the oral testimony of WW 1 and documentary evidence of Exts.W1 to 3 on the side of the union and no evidence on the side of management.

7. **Point No.1:—**The workman was reinstated in service on 13-12-1995 as per the order in Ext.W3 award of Industrial Tribunal, Ernakulam. Thereafter he was considered for temporary status. As per Ext.W2 order No.22/1996 the management granted him temporary status w.e.f. 15-02-1989. Thus the order granting temporary status was issued only in 1996. The workman came to understand that temporary status given to him was w.e.f. 15-02-1989 only from Ext.W2 order and not prior to that. Therefore he had no chance of questioning the decision of railway prior to that. In para 9 of claim statement it is contended that after receiving the order granting temporary status he made a representation to the management on 08-05-1996. But the management did not even consider that representation. It is thereafter that he raised the dispute. It is seen from the order of reference that the Central Government had considered the failure report of conciliation officer in 2001 and had declined to refer the dispute to the Court. The matter was taken up by the union in High Court and as per direction of High Court in 2003 the Central Government referred the dispute to this court in 2008. It is pleaded in the rejoinder of the union that the workman had raised the dispute before the conciliation officer and there was delay in making the reference for which the workman cannot be blamed. That means after the order of granting temporary status in 1996 the workman made representation to the management and thereafter raised the dispute before Conciliation Officer and on sending a report of failure to Central Government there was delay for reference until 2008. Hence on the part of the union or workman there was no

delay in raising the dispute. Moreover, the railway was not able to point out any prejudice caused to them due to any delay in raising the dispute.

8. **Point No. 2:—**It is an admitted fact that the workman joined service as casual labourer on 28-06-1975. But continuous service is denied by the management. There is also dispute regarding the department in which he was working. According to the union he was working in open line. But according to the management he was in project. However Ext.W2 order granting temporary status shows that on completion of 120 days continuous service he was granted temporary status. If he was working in project he should have had minimum continuous service of 180 days in order to claim temporary status. The fact that on completion of 120 days continuous service he was granted temporary status means that he was in open line and not in project. As per Chapter XX Rule 2001 (i) a casual worker who completes continuous service of 120 days is eligible for temporary status. Ext.W1 is casual labour service card. It shows that from 28-06-1975 to 14-03-1976 he had worked continuously without break for 237 days. During this period he had availed leave of 41 days. That means the workman had completed 120 days service by 25-10-1975 and he was eligible to get temporary status from that day. In Ext.W3 award, while the legality of termination of service of the workman was considered by the Industrial Tribunal there was an observation that the workman was entitled to get temporary status sometime in 1975 or 1977. It is abundantly clear that from Ext.W2 labour service card that he was definitely entitled for temporary status on 25-10-1975. It is to be noted that temporary status is counted for the purpose of pension and gratuity. He was eligible for temporary status in October 1975, but was granted 14 years thereafter in 1989 and naturally he has suffered considerable financial loss. For the reasons stated above I find that the workman is entitled to get temporary status w.e.f. 25-10-1975.

In the result an award is passed finding that the action of the management in not granting temporary status on completion of 120 days' continuous service, is illegal and unjustified and he is entitled to get temporary status w.e.f. 25-10-1975. The management is directed to issue order granting temporary status as aforesaid as well as consequential benefits.

The award will come into force one month after its publication in the official gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 23rd day of July, 2010.

P. L. NORBERT, Presiding Officer
Appendix

Witness for the Union

WW1 - T.T.Iype. -

Workman

Witness for the Management - Nil.

Exhibits for the Union

- W1 — Photocopy of Casual Labour Service Card.
 W2 — Order issued by the Railway granting temporary status to the workman, dated 12-03-1996.
 W3 — Copy of Award in I.D.No.12/1991 dated 31-05-1994 of Labour Court, Ernakulam.

Exhibit for the Management — Nil.

नई दिल्ली, 3 अगस्त, 2010

का.आ. 2126.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं सी. पी. डब्ल्यू.डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, मुम्बई के पंचाट (संदर्भ संख्या 2/35 का 2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-8-2010 को प्राप्त हुआ था।

[सं. एल- 42012/260/2003-आईआर(सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 3rd August, 2010

S.O. 2126.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 2/35 of 2004) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Mumbai as shown in the annexure, in the industrial dispute between the management of Central Public Works Department, and their workmen, which was received by the Central Government on 03-08-2010.

[No. L-42012/260/2003-IR (CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI****PRESENT**

A.A. LAD PRESIDING OFFICER

REFERENCE NO. CGIT-2/35 OF 2004

EMPLOYERS IN RELATION TO THE MANAGEMENT OF CENTRAL PUBLIC WORKS DEPARTMENT

The Executive Engineer,
 Central Public Works Department,
 MCSD II/MCD-VIII, Antop Hill,
 Mumbai-400037

....First Party

V/s.

Their Workmen

Sh. Gangaprasad Mishra,
 C/o: Yadav Provision Stores,
 Kane Nagar, Sector 6, CGS Colony,
 Opposite to Bldg. No. 205,
 Antop Hill, Mumbai.

....Second Party

APPEARANCE

For the Employer : Mr. V. Narayanan, Advocate

For the Workmen : Shri M.B. Anchan, Advocate.

Date of reserving the Award : 20-4-2010

Date of passing the Award : 10-6-2010

AWARD

The matrix of the facts as culled out from the proceedings are as under :

1. The Government of India, Ministry of Labour by its Order No. L-42012/260/2003-IR(CM-II) dated 17th August, 2004 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Central Public Works Department, MCD-VIII, Mumbai in terminating the services of Sh. Gangaprasad Mishra is legal and justified? If not, to what relief he is entitled?"

2. Claim Statement is filed by the 2nd Party workman at Exhibit 5 stating and contending that, he was appointed as a Driver on retirement of a permanent Driver w.e.f. 1-11-2000 on ad hoc basis and was driving Jeep No. MH-1 S 3824 from November, 2000 to September, 2001 without any break in service. It is case of the concerned workman that, on 11-7-2001 while returning from Vashi Hospital after site inspection by Shri P.K. Aggarwal, the Executive Engineer, on the way to the Divisional Officer, RTO No. 3, the Flying Squad (PUC) stopped the Jeep and while checking the Jeep said officer found some defects in the Jeep and therefore the officer on duty confiscated his Driving Licence No. 410927 issued to him on 26-11-1971 and put the remarks and imposed the penalty of Rs. 1000 and on his paying the said penalty his Driving Licence was released on 13-7-2001. He contents that, thereafter he worked till 28-9-2001 and on work. It is his case that, his services were terminated without following due process of law i.e. any notice and without assigning any reason and without payment of retrenchment compensation. It is his case that, he was not even paid his wages from 1-5-2001 to 28-9-2001. It is contended by the concerned workman that, his wages were paid by the office of the Executive Engineer @ Rs. 3000 per month though he was promised to be paid Rs. 5000 per month and that he would be given a permanent job of the Driver as regular Driver has retired. It is contended by the concerned workman that, the said amount of Rs. 3000 was being paid to him without taking his signature on any voucher. It is contended by the concerned workman that, during the preceding year of termination of his services he had put in more than 240 days of attendance and therefore he was a continuous worker. It is contended by the concerned workman that, while terminating his services he was not served with one month's notice nor offered one month's wages in lieu of such notice including retrenchment compensation as required under Section 25F of the Industrial Disputes Act, 1947. It is his case that, his retrenchment/termination is illegal, invalid and not

justifiable. It is contended by the concerned workman that, he had made several representations to the 1st Party for his reinstatement but the same have not been considered by the 1st Party though he was appointed in a permanent post and in his place some other Driver has been appointed. So he prays to reinstate him with benefits of back wages and continuity of service. It is his case that, he is unemployed since the date of his termination.

3. This is disputed by the 1st Party by filing Written Statement at Exhibit 12 stating and contending that, this Tribunal has no jurisdiction to try and entertain the present Reference. It is contended by the 1st party that, at no point of time it engaged the services of the 2nd Party and that, there is no employee - employer relationship between the 1st Party and the 2nd Party and 1st Party prayed that, preliminary issue with regard to the maintainability and jurisdiction of this Tribunal be framed before proceeding with the matter.

4. It is case of the 1st Party that, the concerned workman was never appointed, as a Driver, by the 1st Party as alleged. It is contended by the 1st Party that, the copy of the so called appointment letter attached by the concerned workman with his application dated 4-9-2004 is a forged document. It is case of the 1st Party that neither any appointment letter was issued to the concerned workman nor any interview was ever held. It is case of the 1st Party that, the question of termination of services of the concerned workman by 1st Party does not arise. It is also contended by the 1st party that, no salary or any kind of payment was ever paid to the concerned workman by the 1st Party or its subordinate offices nor any kind of assurances were given to the concerned workman as alleged by him. It is case of the 1st Party that, after retirement of the regular driver on 31-12-1999 working of making arrangement of engaging Jeep driver was awarded to various contractors after calling the tenders/quotations. It is case of 1st Party that, the claim of the concerned workman that, he was engaged as Driver w.e.f. 1-11-2000 soon after the retirement of the regular driver is false and baseless as the regular driver had retired on 31-12-1999. It is contended by the 1st party that after calling of the tenders/quotations, the work was awarded to the contractors who quoted lowest rates and during the period of claim i.e. November, 2000 to September, 2001, and as such work was awarded to the Contractor M/s. Indira Painters, and on enquiry from the contractor, it was found that, the concerned workman was engaged by the said contractor for a short period intermittently/temporarily during the absence of their regular drivers. It is contended by the 1st Party that, as informed by the said Contractor, the period of engagement of the concerned workman was about two months and it is further contended by the 1st Party that the detention of the vehicle by the RTO was during the said period. It has been informed by the contractor that, full wages have been paid by them to all the drivers including the concerned workman. It is case of the 1st Party that, the Deputy Labour

Welfare Commissioner had enquired into the allegations of the 2nd Party, concerned workman regarding non-payment of wages and after the enquiry the concerned workman was informed by the Dy. Labour Welfare Commissioner vice his letter No.46 dated 28-8-2002 that he was never employed by the 1st Party and hence there was no question of taking any action on his claim. It is further contended by the 1st Party that, the Applicant was engaged by the contractor M/s. Indira Painters for a short period of two months and hence the question of putting in more than 240 days of services does not arise and since the 1st Party neither engaged nor terminated the services of the concerned workman the question of serving anyone months notice or any relief to the concerned workman does not arise.

5. Rejoinder is filed by the concerned workman at Exhibit 13 denying the contentions raised by the 1st Party and repeating the same story as made by him in the Statement of Claim.

6. In view of the above pleadings issues were framed at Exhibit 21 which I answer as follows :

ISSUES	FINDINGS.
1. Whether there exist employer-employee relationship between second party and first party?	No
2. Whether 2nd Party proves his employment with 1st Party?	No
3. Is second party entitled to any relief?	No
4. What order?	As per order passed below

REASONS :

ISSUES Nos. 1 to 3:

7. 2nd Party claims that, he was appointed as an ad hoc Driver from 1-11-2000 by the Executive Engineer, CPWD, Mumbai, and worked there without any break from November, 2000 till 28-9-2001. However, case of the 1st party is that, he was never engaged by 1st Party. It is their case that, he is the contract worker and there is no 'employee-employer' relationship between 1st Party and 2nd Party and as such no question arise to terminate 2nd Party by 1st Party or reinstatement with 1st Party.

8. To prove that, 2nd party placed reliance on his affidavit filed in lieu of his examination-in-chief at Exhibit 22 where he narrates his story about the enrolment in the employment of the 1st Party. In the cross he admit that, his name was not registered with the Employment Exchange. Even he admit that his name was not forwarded by the Employment Exchange to 1st Party's office. He admit that, no medical test was taken: He admits that, no interview or call letter was received by him. He states that, he was called orally and was asked to work. He states that, he did not know whether vehicle on which he was driving whether it was engaged by CPWD on contract basis or not. He admit that, he has no documentary evidence to show that, jeep

which was attached by R.R.O. belongs to CPWD. On that, he closed his evidence by filing closing purshis at Exhibit 23. Against that, 1st Party led evidence by filing affidavit of Mantruti Venkat Narsaiah at Exhibit 24 where relations with 2nd Party as 'employee-employer' are denied stating that, 2nd Party is a contract employee and does not have relations with 1st Party. In the cross he admits that, he has no knowledge regarding services rendered by 2nd Party to 1st Party. Even he admit that, he did not know whether 2nd Party was arrested. 1st Party examined another witness by name Kottayan Ashokan, by filing an affidavit in lieu of his examination-in-chief at Exhibit 28 who states that, he know the 2nd Party. In the cross he admit that, 2nd Party worked as Driver till 29-8-2001. He admit that, jeep was detained by RTO. He admit pages 23 to 32 of Exhibit 20. He states that, he is unable to comment on pages 33 to 35 of Exhibit 20. On that 1st Party closed evidence and filed closing purshis at Exhibit 29.

9. Written arguments are filed by 2nd Party at Exhibit 30 which are replied by 1st party by filing its written arguments at Exhibit 31.

10. Perused the written submissions and evidence referred above. From the evidence led by 2nd Party we find 2nd Party has no evidence to show that, he worked on behalf of 1st Party and he is employee of the 1st Party. The contention of the 1st Party that, he was employed by the Contractor and there is no 'employee' 'employer' relationship between 2nd Party and 1st Party.

11. In this premises burden of showing relations, shifts on 2nd Party. However, said is not properly discharged by 2nd Party. Besides it is not shown by 2nd Party that, he is employee of the 1st Party though that burden was on him. When 2nd Party unable to show his relations with 1st Party as employee of the 1st Party, it find difficult to accept that, he is in any way related to 1st Party and he can seek relief against 1st Party.

12. Here burden, as stated above, is not properly discharged by 2nd Party showing that, he is employee of the 1st Party or that, he was appointed by 1st Party or that, he was terminated by 1st Party. Stand taken by 1st Party is that, he is contract employee and there is no relationship of 'employee-employer'. When that contention is taken by 1st Party then, burden shifts on 2nd Party to prove his case and his relations with 1st Party. As stated above that burden is not properly discharged which led me to conclude that, on that point 2nd Party cannot seek any relief against 1st Party. So I answer these Issues accordingly and passes the following order :

ORDER

Reference is rejected with no order as to its costs.
Mumbai,
10th June, 2010.

A. A. LAD, Presiding Officer

नई दिल्ली, 3 अगस्त, 2010

का.आ. 2127.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं डब्ल्यू.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 19/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-8-2010 को प्राप्त हुआ था।

[सं. एल- 22012/336/2002-आईआर(सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 3rd August, 2010

S.O. 2127.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 19/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the management of Rawanwara Khas Colliery of Western Coalfields Ltd., and their workmen, which was received by the Central Government on 3-8-2010.

[No. L-22012/336/2002-IR (CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR.

NO. CGIT/LC/R/19/06

Presiding Officer : Shri Mohd. Shakir Hasan

The General Secretary,

MPKKMP (HMS),

PO Junnardeo,

Distt. Chhindwara

.... Workman/Union

Versus

The Mines Manager,

Rawanwara Khas Colliery of WCL,

PO Rawankhara Khas,

Distt. Chhindwara

.... Management

AWARD

Passed on this 13th day of July, 2010

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/336/2002-IR (CM-II) dated 5-5-2006 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of Rawanwara Khas Colliery of M/s. WCL in not correcting the date of birth of Shri Samsad S/o Shri Haider after six months of his superannuation is legal and justified? If not, to what relief the workman is entitled to?”

2. The Union/workman raising the dispute was directed to file statement of claim alongwith relevant documents and list of witnesses but inspite of sufficient service of notices the Union/workman did not appear in the reference. Ultimately the then Tribunal proceeded the reference exparte against the Union/workman on 5-8-2008.

3. The management filed his written statement in the case. The case of the management in short is that the workman Shri Samsad was initially appointed in the year 1972 by Karan Chand Thapar Coal Company Ltd. and was posted at Rawanwara Khas Colliery. He declared his age as 33 years in the year 1974. After nationalization of Coal mines, the management had prepared Form B register which is Exhibit M/1 where his date of birth was recorded as 40 years as on 1-9-1981. It is stated that in the year 1981 the management displayed the date of birth of the workman on the notice board in view of the Instruction No. 37 dated 5-2-81 and invited objection within 90 days from the workman in case of any dispute with regard to the date of birth but the said workman did not raise any dispute within the stipulated period. Again in the year 1987 the management circulated service excerpts to each of the employees and asked objection if any. The service excerpts of the workman shows that his date of birth was 40 years as on 1981 which is Exhibit M/4. The workman is said to have accepted the entry and in token of acceptance signed over the same. Thereafter the workman was issued with retirement notice informing him that he would retire w.e.f. 1-9-1981 which is Exhibit M/5 and then final retirement notice which is Exhibit M/6 but no dispute was raised. The workman on attaining the age of superannuation raised the dispute of his age before the Hon'ble High Court of MP at Jabalpur vide writ application No. 3420/01 but the Hon'ble High Court dismissed the application on 27-11-01. It is stated that the workman never raised objection of his age when it was asked from him rather he had signed on the excerpt himself. On these grounds, the reference be answered in favour of the management.

4. The issue for determination is as to whether the action of management in not correcting the date of birth of the workman is legal and justified?

5. To prove the case, the management has adduced oral and documentary evidence. The management witness Shri Majoj Kumar is Manager in Rawanwara Khas Colliery, Pench Area of WCL. He has stated that the dispute raised for correction of date of birth after six months of his superannuation is belated stage. He has stated that the Form-B register and excerpt of the workman show that his date of birth was 40 years as on 1-9-1981 and Form-B register maintained in 1975 also shows that his date of birth was 33 years as on 1975. This clearly shows that the date of retirement is correct. There is no other evidence on the record to contradict the evidence of the management. Thus it is clear that the action of the management in not correcting the date of birth after six months of superannuation is legal and justified. Accordingly the reference is answered.

6. In the result, the award is passed without any order to costs.

7. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

SHRI MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 3 अगस्त, 2010

का.आ. 2128.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं डब्ल्यू. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 54/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-8-2010 को प्राप्त हुआ था।

[सं. एल- 22012/302/2006-आईआर (सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 3rd August, 2010

S.O. 2128.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 54/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the management of WCL, and their workmen, which was received by the Central Government on 03-08-2010.

[No. L-22012/302/2006-IR (CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/54/07

Presiding Officer : Shri Mohd. Shakir Hasan

The General Secretary,

SKMS(AITUC),

CRO Camp, Iklehra,

Distt. Chhindwara,

Chhindwara (MP)

...Workman/Union

Versus

The Chief General Manager,

WCL, Pench Area,

PO Parasia,

Chhindwara (MP)

...Management

AWARD

Passed on this 14th day of July, 2010

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/302/2006-IR (CM-II) dated 5-7-2007 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of WCL in dismissing Shri Jalandhar Prasad from services w.e.f. 23-11-2004 is legal and justified? If not, to what relief is the workman entitled?”

2. The Union/workman has not appeared in the case inspite of receipt of the notice. As such it appears that the Union/workman is not interested in the case.

3. The management has appeared and has submitted that the dispute has been settled between the parties. The copy of the settlement is filed by the management and the same is duly endorsed by his counsel. It is submitted that the case be disposed of in terms of settlement. The said settlement appears to have been signed by the workman himself and the representative of the Union. The management has also signed on the settlement. It appears that the settlement is just and proper and there is no illegality in it. The terms and conditions of the settlement is as follows :—

- i. Shri Jalandhar S/o Darasram, Ex.S.P.Mazdoor, Vishnupuri Mine No. II of Pench Area will be re-employed afresh as General Mazdoor in Cat-I for underground mine of Pathakhera Area and he will be paid initial basic of Cat-I(U.G).
- ii. Such re-employment will be subject to medical fitness so certified by the Company Doctor.
- iii. Shri Jalandhar S/o Darasram, Ex.S.P.Mazdoor, Vishnupuri Mine No.II of Pench Area shall remain on probation for a period of one year from the date of joining and he has to put in minimum 190 days of attendance in a year. In case his attendance and general performance is not found satisfactory by the management, his services shall automatically stand terminated without any enquiry or assigning any reason thereof.
- iv. Shri Jalandhar S/o Darasram, Ex-S.P.Mazdoor, Vishnupuri Mine No. II of Pench area shall be entitled only for continuity of service for the limited purpose of gratuity and this will be full and final settlement. Further, the benefit of continuity of service will not be extended in such case where the person has been paid gratuity payment. This shall be full and final settlement and no further claim what soever shall be made in future.
- v. The period from the date of termination till re-employment and joining on his duty will be treated as dies-non on the principle of no work no pay.
- vi. Form-H settlement individually or through Union, incorporating the above terms and conditions for entering into employment and the same will be sent for registration to the Labour machinery.
- vii. In case any dispute is pending before the CGIT, the re-employed person should withdraw the same from CGIT by filing a copy of settlement for consent award. If any matter is pending before any other courts, the Union/ex-employee will withdraw the case from the concerned court. Shri Jalandhar S/o Darasram CGIT case referred by Ministry of Labour Court to CGIT, Jabalpur but number was not allotted by Hon'ble Court.
- viii. He shall have no right to apply for VRS at later stage."

4. Considering the above aspect, the award is passed in terms of settlement and the terms and conditions of settlement are part of the award. No cost is allowed.

5. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

SHRI MOHD. SHAKIR HASAN, Presiding Officer
नई दिल्ली, 3 अगस्त, 2010

का.आ. 2129.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एस. सी. सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 22/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-8-2010 को प्राप्त हुआ था।

[सं. एल- 22012/405/2004-आईआर(सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 3rd August, 2010

S.O. 2129.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the Award (Ref. No. 22/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the industrial dispute between the management of M/s. Singareni Collieries Co. Ltd., and their workmen, received by the Central Government on 3-8-2010.

[No. L-22012/405/2004-IR (CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
HYDERABAD

Present : SHRI VED PRAKASH GAUR, Presiding
Officer

Dated the 10th day of June, 2010

INDUSTRIAL DISPUTE No. 22/2006

Between :

The Central Vice President (Sri B. Gangaram),
Singareni Collieries Workers Union (AITUC),
12-10-96, Sidafalmandi,
Secunderabad.

....Petitioner

AND

The General Manager,
M/s. Singareni Collieries Company Ltd.,
Sreerampur Division,
Seerampur,
Andhra Pradesh - 504303.

....Respondent

Appearances:

For the Petitioner : M/s. M. Surender Rao & M.
Vasudeva Rao, Advocates

For the Respondent : M/s. P.A.V.V.S. Sarma & Vijayalaxmi Panguluri, Advocates
AWARD

The Government of India, Ministry of Labour by its Order No. L- 22012/405/2004-IR(CM-II) dated 3-2-2006 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of M/s. Singareni Collieries Company Ltd., and their workman.

The reference is,

SCHEDULE

"Whether the action of the management of Singareni Collieries Company Limited, Secunderabad in reducing the two annual increments in respect of Shri V. Koteswar, Head Overman, S/Sh. Lingam Odelu and Sriram Mining Sardars was legal and justified? If not, to what relief they are entitled?"

The reference is numbered in this Tribunal as I.D. No. 22/2006 and notices issued to the parties.

2. Representative of the S.C. Workers Union, Sri B. Gangaram has filed claim statement in the year 2006 on behalf of the Petitioners of this dispute questioning the disciplinary action of reducing two annual increments from the wages of 3 mining staff personnel S/Sri Koteswar H.O.M., Sri Ram and Lingam Odelu, Mining Sardars.

3. On 10-6-2010, Petitioner workmen or their counsel absent. Till date neither Petitioner's representative nor their counsel has filed relevant documents after more than 3 years of receipt of the reference. Though Petitioner workmen have appeared through counsel on 19-3-2009 and sought time for filing of the documents. Hence, in absence of Petitioner workmen and non-filing of documents and non-appearance of Petitioners the reference is dismissed with 'Nil Award'.

Accordingly a 'Nil' Award is passed, Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 10th day of June, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
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NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 3 अगस्त, 2010

का.आ. 2130.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. कॉटन

कार्पोरेशन ऑफ इंडिया लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 207/ 2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-8-2010 को प्राप्त हुआ था।

[सं. एल-42025/7/2010-आईआर(डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 3rd August, 2010

S.O. 2130.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 207 of 2002) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad now as shown in the Annexure in the industrial dispute between the management of M/s. Cotton Corporation of India Ltd. and their workman, which was received by the Central Government on 3-8-2010.

[No. L-42025/7/2010-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present : Shri Ved Prakash Gaur,
Presiding Officer

Dated the 6th day of July, 2010

Industrial Dispute L.C.I.D. No. 207/2002

(Old I.D. No. 149/1997 Transferred from Industrial Tribunal-cum-Labour Court, Guntur)

Between

Sri Lakshmi Narayan Bhatt,
S/o Padmanabha Bhatt,
Elayadath Parambill House, Near Village Office,
P.O. Pallipott, Ernakulam Dt.
Kerala-683 515.

.....Petitioner

And

1. The Branch Manager,
M/s. Cotton Corporation of India Ltd.,
4th Line, Arundelpet,
Guntur.

2. The Chairman-cum-Managing Director,
AIR India Building,
12th floor, Nariman Point,
Bombay

.....Respondents

Appearances :

For the Petitioner : M/s. Srinivas Chitturu & Abhay,
Advocates

For the Respondent : M/s. A.K. Jayaprakash Rao,
K. Srinivas Rao, P. Sudha, T. Bal
Reddy, M. Govind, N. Sanjay &
K. Ajay, Advocates

AWARD

This petition under Sec.2A (2) of Industrial Disputes Act, 1947 was filed by Sri Lakshminarayan Bhatt, ex. employee of M/s. Cotton Corporation of India Ltd., before the Industrial Tribunal-cum-Labour Court, Guntur State Amendment which was transferred to this Court in view of the Government of India, Ministry of Labour's order No. H-11026/1/2001-IR (C-II) dated 18-10-2001 bearing I.D. No. 149/1997 and renumbered in this Court as L.C.I.D.No. 207/2002 challenging the order of Petitioner's removal from service dated 2-12-1988 under the direction of Hon'ble High Court of A.P., as alleged by him in W. P. No. 785/1997.

2. It has been alleged by the Petitioner that he joined as Assistant Cotton Selector on 1-4-1977 in respondent management and worked continuously without any break. He was subsequently promoted as Cotton Purchase Officer in the year 1983 and was transferred to the office of first management on 1984 till the date he was removed from the service. As Cotton Purchase Officer the Petitioner predominantly discharged his duties with full skill which was not clerical and operational in nature. He has further alleged that for the purchases made during the year 1987-88, the management issued charge sheet alleging that the quality of cotton Kappas was not of the standard quality, the grading expenses incurred by the workman @ Rs. 50 was more than the sum of Rs. 40.56ps which was expected in the circulars towards grading expenses and finally for discrepancies in the budget assumptions relating to proforma expenses, storage in lint due out turn which in the opinion of the management constituted misconduct under C.D.A. Rules. The Petitioner workman submitted his explanation denying the charges levelled against him and stating the state of affairs without considering those explanations through enquiry were conducted in which principles of natural justice were not complied with. The first management did not supply copies or extracts of all documents which form the basis for initiating disciplinary action. The findings of the Enquiry Officer are perverse and baseless. Based on the erroneous finding of the Enquiry Officer, the management issued proceeding dated 2-12-1988 removing the Petitioner from the service.

3. It has been submitted that the Enquiry Officer and the first management ought to have taken into consideration the specific facts and circumstances of the case, non-examination of technical person is fatal to the case of management and the test report obtained during the course of business proved the innocence of the applicant in the matter and there were no complaints from customers, the officers conducting the time and motion study found that grading expenses incurred were in order and there was no loss sustained by the corporation.

4. It has further been alleged that first management is not competent to remove the applicant from service as Appointing Authority was second management. It has further been alleged that the rules under which the applicant

was chargesheeted had no application to the facts of this case. The alleged omissions are not codified misconducts within the meaning of the CDA Rules, without prejudice to the above facts the punishment imposed by the management is shockingly disproportionate to the charges levelled against the Petitioner workman, with respect to the other workmen. Namely, 1) N.Hazarath Sahib, 2) V. Veeraiah, 3) Syed Rasheed, 4) V. Demudu, 5) S. S. Eomon, 6) K.L. Narayana, 7) B. S. Mukihal, 8) D. H. Ellur, 9) K. L. Sarma, 10) J. Shankarlal, 11) Sri Samba Murthy, 12) B. S. More, 13) A. V. Gade, 14) Satyanarayana, 15) Dhiman, who were alleged to have committed similar misconduct were either let off or imposed with the lesser punishment. Thus, the action of the management in this regard against the present Petitioner is biased, arbitrary and amounts to hostile discrimination and unfair labour practice. It has further been alleged that first management has no power to initiate disciplinary proceeding under C.D.A. Rules which have no statutory force as the management corporation did neither obtain any exemption from the application of the provisions of Industrial Employment Standing Orders Act, 1946 nor it notified the C.D.A. rules under the provisions of the said law. So the disciplinary action initiated against the workman is violative of rules and without jurisdiction. It has further been alleged that no show cause notice has been given to the Petitioner of the proposed punishment nor past record of the Petitioner was considered while imposing the punishment. The order of removal is non-speaking. He has challenged the punishment order on the ground that it is not in conformity with the circular issued by the management and settlements entered into between the trade union and the management. It has further been alleged that the action of the management in removing the applicant from service is arbitrary, illegal, mala fide and with colourable exercise of power and unfair labour practice, discriminatory, unjustified and opposed to principles of natural justice. It has further been alleged that the Petitioner is facing hardship as he has been thrown out of the employment illegally and unlawfully which attach social stigma with the Petitioner. In spite of his best efforts Petitioner could not secure any alternative employment. He has approached the management number of time with a request to take him back into service, he made an appeal before the second Respondent which was turned down by the second Respondent. It has been alleged that certain employees of the corporation whose services were terminated, raised industrial dispute I.D. No. 73/88 and I.D. No. 16/889 before the Industrial Tribunal which rejected the claim of those employees on the ground of jurisdiction. In light of the order of the Industrial Tribunal Petitioner filed W.P. No. 7857/90 before the Hon'ble High Court of A.P., Hyderabad, the Hon'ble High Court delivered its judgement on 23-1-1996 holding that the Petitioner workman can raise an industrial dispute, hence, the Petitioner has approached this tribunal.

5. Respondent No.1 and 2 had filed counter statement. It has been alleged by the Respondent that WP No. 7857/1990 which was disposed off by the Hon'ble High Court of A. P., Hyderabad in the year 1996, Petitioner kept quiet for three long years and he filed this claim petition with delay and laches. It is correct to say that Petitioner was employed as Assistant Cotton Selector in Cotton Corporation of India and the said post was redesignated as Cotton Purchaser, the Petitioner did not join as Cotton Purchase Officer, he was promoted as Cotton Purchase Officer in 1982 and was transferred to Guntur branch on 27-2-1985. The Petitioner was issued with memorandum of charges on 31-3-1988 as he purchased inferior quality of raw cotton (Kapas) at ABV Palem Centre as Centre Incharge and also purchased two varieties of cotton JKHY-1 and MCU-5 during cotton season 1997-98. The enquiry was held in conformity with the principles of natural justice. Petitioner was also found to have purchased, the inferior quality of raw cotton and false packing of kapas boras was found by the General Manager and Manager (Pur), who made surprise visit to the centre on 16-3-1998. The charges levelled against the Petitioner were also framed against other centres incharge because they also violated the instructions given by the management to the centres incharge to purchase raw cotton with the financial and qualitative discipline as per the instructions given to the Petitioner from time to time. The Petitioner has acted detrimental to the interests of the Respondent corporation and charges framed against the Petitioner and departmental enquiry was conducted by independent person (Retd. Hon'ble district Judge) and the explanation submitted by the Petitioner was found to be unsatisfactory, the enquiry was conducted. The Enquiry Officer submitted his report, the Petitioner was given reasonable opportunity to participate in the enquiry which was conducted in conformity with the principles of natural justice. Thus, the enquiry report and the enquiry conducted by this Respondent is not vitiated by any material.

6. The Petitioner was served with another charge sheet dated 10-4-1988 for contravening the instructions of branch office, Guntur with regard to incurrence of labour expenses which was beyond the approved amount and the Petitioner has incurred the expenses more than the norms fixed by the Respondent management. Thereby, the cost of cotton has gone up, the Petitioner willfully disobeyed the lawful orders and repeated instructions of the management.

7. It has further been submitted that another charge sheet dated 27-5-88 was issued for budgeting of O.T. for effecting purchases by various centres incharge including the ABV Palem centre where Petitioner was working and the Petitioner has budgeted the out turn to suit his convenience which is in excess of the instructions raising from 18% to 78% by which the cost of cotton was escalated and the Petitioner has to effect the purchases in his centre within the financial discipline given by the branch office from time to time. Petitioner never adhered to the

instructions and went on purchasing and thereby the respondent corporation incurred heavy loss by way of excess costs than that was authorized by the branch. The Petitioner has budgeted the shortages of 4% whereas the actual shortage went beyond 4% and being from 4.53% to 4.66% thus causing huge loss to the Respondent corporation.

8. It has further been alleged that the Respondent management directed the Petitioner to budget labour expenses for grading at Rs. 50 per candy whereas the Petitioner spent the amount ranging from Rs. 78.58 to 86.46 ps. Thus, the Petitioner has contravened the instructions issued by the Respondent corporation.

9. The Petitioner was served with memorandum of charges and called for explanation. The Petitioner has submitted his explanation which was found to be not satisfactory and then an independent person i.e. a Retired District Judge was appointed as Enquiry Officer who supplied all the materials to the Petitioner which was placed before him. the contention of the Petitioner that he was not supplied with material is not correct. The enquiry was conducted in full and fair manner giving proper and full opportunity to the Petitioner. There was no unfairness in conducting the domestic enquiry. Petitioner was served with the enquiry report and his explanation was called for on the enquiry report. The Petitioner's contention that no monetary loss was incurred to the corporation is incorrect. The Petitioner has exceeded the monetary sanction and caused heavy loss to the corporation, not only in financial terms but also in qualitative terms. It has further been submitted by the respondent that the government has fixed norms and costs through the bureau of Agricultural costs and prices for purchase of the varieties —

1. MCU-5 staple 33 mm, Micronaire .. 3 to 3.5
2. JKHY-1 staple 30 mm, Micronaire .. 3.8 to 4.2

10. It has been alleged that the samples of the cotton purchased by the Petitioner was tested and it was found that JKHY-1 cotton staple ranging from 25.2 mm to 27.6 mm whereas the standard staple is 30 mm, Micronaire was 3.4 to 3.6, as against the Micronaire of 3.8 to 4.2 and like wise MCU-5 staple ranged from 28.8 to 31.3 mm as against 33 mm. The test report itself is evident to prove that inferior quality of cotton was purchased by the Petitioner, the Petitioner has committed gross misconduct for which the punishment imposed by the management is not disproportionate, petition is misconceived and deserves to be dismissed.

11. The management has filed as many as 25 documents relating to domestic enquiry No. 1, 31 documents relating to enquiry No.2, 21 documents relating to enquiry No.3.

12. Petitioner filed rejoinder against the counter claim filed by the Respondent. The Petitioner has filed a petition under Sec. 11 of the Industrial Disputes Act, 1947 for directing the Respondent to produce the charge sheet

and finding of the Enquiry Officer and punishment imposed on the employee of Cotton Corporation of India namely, (1) N. Hazarath Sahib, (2) V. Veeraiah, (3) Syed Rasheed, (4) V. Demudu, (5) S. B. Gouder (6) K. L. Narayana, (7) B. S. Mukihal, (8) D. M. Ellur, (9) K. L. Sarma, (10) J. Shankarlal, (11) Sri Samba Murthy, (12) B. S. More, (13) A. V. Gade, (14) Satyanarayana, (15) Dhimen, which has been filed by the Respondent along with employees conduct, discipline and appeal rules, 1975 of the Cotton Corporation of India.

13. Regarding validity and legality of domestic enquiry my Learned Predecessor has considered the question of legality and validity of the domestic enquiry and he has held the domestic enquiry conducted by the Respondent management was legal and valid on 20-7-2004 which shall form part of this judgement.

14. I have heard Learned Counsel for the Petitioner and that of management at length and have gone through the claim statement and counter statement and the documents produced by both the parties.

15. The Petitioner has filed a petition under Sec. 11A on 6-9-2001 supported with the affidavit wherein he has asserted that he has complete 58 years and has crossed the age of superannuation as such, the relief of reinstatement can not be granted to him, compensation in lieu of reinstatement is the proper relief. This affidavit and petition is an important piece of document available on this file by which it transpires and proves that during pendency of this petition the Petitioner has crossed the age of superannuation and therefore a direction for the reinstatement in the service can not be given in the present case.

16. Learned Counsel for the Petitioner has argued that the Petitioner has been punished on the ground of three alleged misconducts for which three separate departmental enquiries were conducted, reports were submitted by the Enquiry Officer. In none of the misconducts alleged to have been committed by the Petitioner allegations has not been raised that Petitioner has gained wrongfully for himself or he has cause wrongful loss to the corporation. The only allegation in the first charge sheet was that the Petitioner has failed to abide by the instructions and betrayed the confidence of the corporation and thereby he contravened the Rele 4 1(i) (ii) (iii) and 5 (i) (v) (viii) (x) (xxii) (xxiii) and (xxiv) of CCI (CDA) Rules, 1975. The second charge sheet is also of the same nature wherein it has been alleged that Petitioner was directed vide office order dated 5-1-1988 to peg down the grading expenses to the level of Rs. 40/56 ps per candy. But he failed to abide by this instructions and had betrayed the confidence of the corporation. The third charge sheet was issued with allegation that while functioning as centre incharge at ABV Palem Centre during 1987-88 Petitioner could not keep shortage within the quantum budgeted by him, shortage was much more than the budgeted level resulting heavy financial loss to the corporation. The

Petitioner has submitted is reply. The management has summoned witnesses. None of the witnesses has stated during course their examination that the Petitioner has willfully or intentionally ignored the instructions issued by the corporation or has willfully caused any financial loss with the intention to gain wrongfully for himself. But the management witnesses themselves has deposed before the Enquiry Officer that during cotton purchase year 1987-88 due to shortage of rain and attack of white flies, quality of the cotton was deteriorated, hence, it was not within the control of the Purchase Officer to avoid purchase of cotton. The purchase officer has purchased the cotton which was available with the farmers as instructed by the corporation to bail out the cotton grower. So far as the question of payment of the wages to the grading labourers concerned the Petitioner was bound to pay more labour charges due to the non-availability of the labour force on the rate permitted by the corporation. Since the work of grading and consignment of the kapas was to be coupled for safe storage of cotton the Petitioner has not contravened any instructions intentionally but whatever has been done it has been done under the circumstances which compelled the Petitioner to incur more money to wards the payment of the labour charges. But for the excess payment of labour charges Petitioner has not committed any financial irregularity. As against this evidence available before the Enquiry Officer, the learned Enquiry Officer has given his find in respect of first chargesheet that the Petitioner has purchased boras and kapas of below FAQ quality intentionally and deliberately and he is guilty of fraud having defrauded the corporation to gain wrongfully. He has argued that this finding of the Learned Enquiry Officer is unfounded, baseless and beyond the purview of the charges levelled against the Petitioner

17. So far as the second enquiry is concerned the charges against the Petitioner were that he failed to abide by the instructions that he has to take down the grading expenses to the level of Rs. 50 per candy, but the Petitioner has incurred Rs. 86.46 ps, Rs. 78.58ps, Rs. 78.74 per candy in the months of December, 1987 and January, 1988 to which the Learned Enquiry Officer has given his finding that workman was guilty of the contravention of the instructions regarding payment of the grading expenses. However, the Enquiry Officer has not given any finding regarding the amount of loss incurred by the corporation not only that the Enquiry Officer has not given any such finding that Petitioner himself has received any wrongful gain by way of expending more amount to wards grading charges paid by him.

18. He has further argued that the third charge was that Petitioner has not kept the shortage within the quantum budgeted by him, but he has caused shortage much more than the budgeted level resulting in heavy financial loss to the corporation. However, neither in the charges levelled against the Petitioner nor the finding arrived at by the

Enquiry Officer the amount of loss has not been calculated that should have been sustained by the corporation. As such, the alleged heavy loss is an imaginary allegation without actual loss caused to the corporation. Thus, whatever charges were levelled against the Petitioner, they are only regarding contravention of certain instructions in the financial matters but there is no allegation that the Petitioner himself has gained anything for himself by contravening the instructions of the corporation. More over, the finding of the Enquiry Officer is not based on the evidence, it is based on surmises and the conclusion arrived at by the Enquiry Officer is out come of his own mind based on no evidence. Thus, the action of the management in dismissing the Petitioner from the service is based on no material. It was highly arbitrary and illegal. the misconduct alleged to have been committed is not of that nature for which dismissal is the only punishment.

19. It is further been argued by the Learned Counsel for the Petitioner that an employee named D.H. Ellur was also alleged to have committed similar misconduct and has the financial irregularity and loss but he was not dismissed from the service but only 5 increments were stopped by way of punishment to Sri D.H. Ellur. Thus, the Petitioner has been disproportionately punished. The punishment imposed against the Petitioner is shockingly disproportionate and deserves to be quashed. Though Learned Counsel for the Petitioner has not argued but there is memo of the Petitioner that since he retired during pendency of this petition than in that case, his punishment if quashed he should be compensated by way of money.

20. As against the above contention and argument of the Learned Counsel for the Petitioner, Learned Counsel for the Respondent has argued that the Petitioner has purchased 55 boras inferior kapas and 15 boras of cowdy kapas, he paid excess grading charges to the labourers against the grading expenses fixed by the corporation @ Rs. 40.56ps in the month of December, 1987 and January, 1988, thereby he has caused financial loss to the corporation. So far as the question of D.H. Ellur is concerned the Petitioner can not claim parity with D.H. Ellur as it is the discretion of the disciplinary Authority to impose punishment on his employee by the employer. The Enquiry Officer has given his finding on the basis of material available before him. The Petitioner has caused wrongful gain for himself and wrongful loss to the corporation and thus, the punishment imposed by the management is not disproportionate nor shocking to the lost amount.

21. I have heard the above argument and gone through the entire material available before this tribunal. This tribunal has to consider following points :—

(I) Whether the Petitioner has committed contravention of the circular relating to marketing strategy and instruction with regard to purchase which were conveyed in the field staff meetings and that he paid excess

amount towards labour charges as against the amounts fixed by the corporation vide its letter dated 5-1-1988 for expenditure in the year 1987-88 and thirdly that the Petitioner has caused heavy loss that he could not keep the shortage within the quantum budgeted by the corporation and thereby he has committed misconduct and whether the finding of the Enquiry Officer is based on evidence available before him ?

(II) Whether the punishment imposed on the Petitioner is disproportionate to the misconduct committed by him, if so, what could have been the best punishment or adequate punishment in case of the Petitioner ?

(III) Whether the Petitioner is entitled for any relief or not if so, to what relief ?

FINDING

22. Point No. (I) :- For determination of this question as to whether the Petitioner has committed the misconduct levelled against him in all the three charge sheets separately, I have gone through the enquiry proceeding files. So far as first charge sheet is concerned it is with respect to the purchase of 55 boras as of below FAQ quality and 15 boras of inferior kapas. Though the Petitioner contended that he purchased kapas after due and thorough examination. However, it is alleged that such kapas were purchased below prescribed standard with deliberate and calculated intention. However, it was found that the Petitioner during the period of purchase has handled the centre single handedly without any assistance not only that he was assigned to the purchase at the market yard and also present at Thimmapuram though the Enquiry Officer has not considered this statement of the Petitioner during course of enquiry but since the Petitioner was working single handedly and the loss caused by the Petitioner was not quantified by any of the witnesses as such it can not be said that the Petitioner caused huge loss to the corporation. If during the entire purchase year, the Petitioner purchased 55 boras of below standard kapas and 15 boras cowdy kapas, it could not be said that the Petitioner intentionally purchased this kapas with deliberate intention to cause loss or defrauding the corporation or to gain anything wrongfully because none of the management witnesses during their course of examination before the Enquiry Officer has alleged that Petitioner has gained anything for himself, as such, though the Petitioner has purchased 55 boras of inferior kapas and 15 boras of cowdy kapas, he has committed negligence in discharge of his duties but that negligence is not an outcome of fraud or willful loss to the corporation.

23. So far as the allegation of the second charge levelled against the Petitioner is concerned it is alleged that Petitioner made excess payment in the month of December, 1987, January, 1988 and February, 1988 and paid Rs. 78.58 ps, Rs 78.74ps and Rs. 86.44 ps per candy as labour charges as against Rs. 40.56ps fixed by the corporation. It has been argued by the Learned Counsel

for the Petitioner that Rs. 50 were approved for grading of the kapas of JKHY-1 and MCU-5 and he was directed to peg down the grading expenses at Rs. 40.56ps by order No. CCI/GNT/GM/Labour Exp/1987-88 dated 5-1-1988. It has been argued that it has been alleged that Petitioner has paid excess amounts in December, 1987 and January, 1988. Further, the grading expenses were peg down at Rs. 40.67ps by order dated 5-1-1988. Thus, there was no order for pegging down the grading expenses to Rs. 40.56 ps. in the month of December, 1987 because the corporations order for pegging down for Rs. 40.56 ps itself was passed on 5-1-1988. So whatever the amount was incurred by the Petitioner during the month of January, 1988 can not be said to be contravening the directions dated 5-1-1988. So far as expenses in the month of December, 1987 there is no proof for service of this letter on the Petitioner in the earlier months of January. So whatever the expenses were incurred before the order dated 5-1-1988 can not be said to be in contravention with this order. During course of enquiry the Petitioner has produced Sri C. Seshu, Manager Administration as his witness who has deposed before the Enquiry Officer that he visited purchase centre for verification of labour expenses for asserting the grading expenses. He submitted his report Ex. D9 and he arrived at a conclusion that grading expenses be Rs. 56.78 ps per candy which did not include expenditure of watchman at Ginning factory, pressing factory and expenditure of marketing and conclusion of spoilage. It has come in the enquiry report that similar report was given by Sri T. Bhanoji Rao, Dy. Manager (Accounts). According to report of Dy. Manager Sri T. Bhanoji Rao grading expenditure at Eddulapadu Centre was Rs. 61 per candy. He also added the expenses incurred on watchman etc.. which after inclusion it comes to Rs. 70. If that was the statement of defence witness who was also an employee of the corporation then it can not be said that the Petitioner has incurred exorbitant amount towards the grading expenses because the actual grading expenses were much more than what was fixed by the corporation i.e., Rs. 40.56ps. More over none of the witnesses before the Enquiry Officer has given any statement as to what was the actual amount lost by the corporation. Thus, to my mind the finding of the Enquiry Officer in rejecting the defence version is not justifiable though the Petitioner has contravened the instructions contained in the order dated 5-1-1988 but this order was not in regard to expensses in the month of December, 1987 and he made excess payment in January, 1988 due to rate prevalent in area. Hence, the entire allegation was not proved against the Petitioner that he has paid extra amount, the amount fixed by the corporation is also not genuine when it was not being accepted by the labourers. So the Petitioner has not violated the instructions contained in the letter dated 5-1-1988 and has not caused any intentional or willful loss to the corporation, moreover he has not gained anything by payment of extra amount as labour charges.

24. So far as the third charge sheet is concerned, that is, regarding the shortage within the quantum budgeted by the corporation. That being so, the Enquiry Officer has not given any finding that Petitioner has caused any willful wrong to the corporation or willful gain for himself. That he has purchased kapas with high percentage of moisture it has not been proved to be intentional but is proved the negligence of the Petitioner. Though the finding of the Enquiry Officer is that the charges are proved and I also find that Petitioner has not taken utmost precaution and care in purchase of kapas and has not kept shortage within the quantum budgeted by the corporation. So far as the non-control of padta is concerned no evidence was placed before Enquiry Officer as to what was the actual padta and that loss has been committed by the Petitioner. Though the Petitioner was again careless and negligent towards the loss of the padta the finding available before the Enquiry Officer can not be faulted but it can not be said that such misconduct has been altogether proved. From the above discussion and conclusion, I am convinced that the charges levelled against the Petitioner were partly proved but it was not proved in toto. The point no. (I) is decided accordingly.

25. Learned Counsel for the Petitioner has argued that in the present case though the misconduct against the Petitioner was found to be proved by the Enquiry Officer but the entire misconduct was not proved there was no iota of material before the Enquiry Officer to come to a conclusion that Petitioner wrongfully gained for himself which is amounted to the misappropriation to the corporation money which is a grave misconduct within the purview of Sec. 4 1(i) (ii) (iii) and 5 (i) (v) (viii)-(x) (xxii) (xxiii) and (xxiv) of CCI (CDA) Rules, 1975 which entails the punishment of dismissal from the service. But from the evidence on record it was not proved that Petitioner caused any wrongful gain or intentional gain for himself and intentional loss to the corporation though he was careless and was has not followed the instructions issued by the corporation. The punishment of dismissal is disproportionate in the present case and within the conscience of prudent man because the corporation in the case of D.H. Ellur though found that charges against him regarding the similar misconduct prove but has punished with stoppage of 5 increments. The Petitioner has filed the office order dated 1-12-1987 in respect of D.H. Ellur and copy of the charges levelled against him. I have gone through the punishment order imposed on D.H. Ellur against whom the similar charges were levelled by the corporation and all the charges found to be proved against him. He was punished with a stoppage of 5 increments. Thus, to my mind also the punishment imposed on present Petitioner dismissing from service is disproportionate. He deserves to be punished with lesser punishment if the punishment of stoppage of increment appears to be not proper or insufficient, he should have been reverted to the lower rank of that of cotton selector and this would have been

appropriate and proper punishment in case of the Petitioner. The management has imposed excessive and disproportionate punishment of dismissing the Petitioner from service on 2-12-1988 and order of dismissal dated 2-12-1988 deserves to be quashed and it is quashed. The Petitioner is treated to be in service till the date of his superannuation with 1/3 back wages of cotton selector and he is punished with reduction to a lower rank of cotton selector. The Petitioner is directed to be reinstated in the service in the post of cotton selector, i.e., lower rank post to that of cotton purchase officer, he will be entitled for 1/3 of the pay with retirement benefits. As such, points (II) and (III) are decided accordingly.

Award passed accordingly. Transmit.

(Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 6th July, 2010)

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses Examined for the Petitioner **Witnesses Examined for the Respondent**

NIL

NIL

Documents Marked for the Petitioner

NIL

Documents Marked for the Respondent

NIL

नई दिल्ली, 4 अगस्त, 2010

का.आ. 2131.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 127/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-8-2010 को प्राप्त हुआ था।

[सं. एल-22013/1/2010-आईआर(सी-11)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 4th August. 2010

S.O. 2131.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 127 of 2007) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workmen, which was received by the Central Government on 04-08-2010.

[No. L-22013/1/2010-IR (C-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AT HYDERABAD

Present : Shri Ved Prakash Gaur,
Presiding Officer

Dated the 21st day of April, 2010

Industrial Dispute L.C. No. 127 of 2007

Between

Sri Lambadi Balya,
S/o Banoth,
C/o Smt. A. Sarojana, Advocate,
Flat No. G7, Ground Floor, Rajeshwari
Gayatri Sadan, Opp : Badruda Jr. College
For Girls, Kachiguda,
Hyderabad

.....Petitioner

And

1. The General Manager,
M/s Singareni Collieries Company Ltd.,
Mandamarri Area,
Mandamarri. Adilabad District
2. The Colliery Manager,
M/s Singareni Collieries Company Ltd.,
Shanti Khani Mine,
Mandamarri. Adilabad District

.....Respondents

Appearances :

For the Petitioner : M/s A. Sarojana, K. Vasudeva
Reddy & P. Basavaiah,
Advocates

For the Respondent : Sri M. Shankar Narayan,
Advocate

AWARD

This petition under Sec.2A (2) of the Industrial Disputes Act, 1947 has been filed by Sri Lambadi Balya for setting aside the order dated 20-6-2006 and to reinstate him in the service of the management with back wages, in light of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W. P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. It has been alleged that the Petitioner was appointed as badli filler in the year 1986 and he was confirmed as coal filler in the year 1989. He was regular to his duties till the year 2002 but in the year 2003, the Petitioner suffered with jaundice and other family problems. While the matter is stood thus, a charge sheet dated 15-5-2004 and another charge sheet dated 23-3-2005 were issued alleging there in that the Petitioner worked for 96 days in the year 2003 which amounts to misconduct under company's Standing Orders 25.25 and in the other charge sheet alleged that the Petitioner worked for 92 musters in the year 2004. Petitioner submitted his explanation against both the charge sheets but the Disciplinary Authority was

not satisfied with the explanation submitted by the Petitioner and enquiry was constituted against the Petitioner. Enquiry Officer was appointed who submitted a report that the Petitioner has committed misconduct of the Standing Orders 25.25 without considering the submissions made by the Petitioner regarding his absence from the duty. A show cause notice was issued to the Petitioner on 19-6-2005 and 21-11-2005 and thereby the order dated 20-6-2006 the Petitioner's services were terminated w.e.f. 20-6-2006. The enquiry was conducted in utter violation of the principles of natural justice without affording any opportunity to the Petitioner. The enquiry was conducted in a routine and mechanical manner with a pre-determined notion. The procedure of enquiry was not explained to the Petitioner. He could not participate in the enquiry effectively and due to the improper conduct of the enquiry Petitioner was put to great prejudice. The Petitioner was not given opportunity to cross examine the management witness nor his own witness. No opportunity was given to the Petitioner to produce his evidence. Submission of the Petitioner was not considered by the Enquiry Officer. The witness produced by the Respondent were not relevant to the facts of the case of the Petitioner, no document was furnished to the Petitioner, hence enquiry proceeding is illegal and invalid and the finding given by the Enquiry Officer is perverse based on no evidence and order passed on the basis of such a perverse finding is illegal, unjust, arbitrary and fit to be quashed.

3. Counter statement has been filed by the management stating therein that the charge sheet was issued to the Petitioner as he has put in only 96 musters in the year 2003 and 92 musters in the year 2004 and remained absent without any intimation or prior leave from the company. The Petitioner has submitted his explanation which was not satisfactory. The management has established hospitals for extending medical aid to its employees and their families. But the Petitioner did not report sick in Colliery Hospital and remained absent though he claimed that he suffered from ill-health but he utterly failed to substantiate his version with any valid documentary evidence. The contention of the Petitioner that he remained absent due to jaundice is unsustainable because, jaundice is not such a disease which can not be cured within a reasonable time. It does not take two to three years for being cured. The contention of the Petitioner that the enquiry was conducted with a pre-determined notion is totally incorrect. His allegation that he was not afforded opportunity is also baseless. The Enquiry Officer has given ample opportunity to the Petitioner to defend his case, cross examination of management witness and produce his own defence witness. The Petitioner did not avail these opportunities. He pleaded guilty of the charges. His allegation that Enquiry Officer held charges proved on lopsided enquiry is totally incorrect. The Petitioner was supplied with a copy of enquiry proceeding and reports but

his did not make any representation against the finding of the Enquiry Officer.

4. It has further been alleged by the Respondent that the Petitioner was counselled on 18-11-2005 and he was given three months time from 1-12-2005 to enable him to improve his attendance and performance. But Petitioner utterly failed to improve his attendance. The attendance of the Petitioner from 1999—2006 clearly indicates that the Petitioner who was an underground employee had to put in 190 musters in a calendar year has grossly failed and put in only 115 musters in 1999, 66 musters in 2000, 121 musters in 2001, 131 musters in 2002, 96 musters in 2003, 92 musters in 2004, 71 musters in 2005 and 62 musters in 2006, this indicates that the Petitioner did not improve his attendance even after issuance of the charge sheet. He was earlier chargesheeted for habitual absenteeism during the year 2000 and penalty of reversion to a lower grade was imposed. The Petitioner did not correct his mistakes. The management was compelled to impose penalty of dismissal. The Petitioner has made vague statement that he was not regular to his duties due to sickness and family problems without placing any documentary support. Fair and ample opportunity was afforded to the Petitioner during course of enquiry to cross examine management witness and produce his own defence witness, as such, the contention of the Petitioner that he was not afforded proper opportunity is baseless and incorrect. There is no force in this claim and it deserves to be dismissed.

5. Parties were given opportunity to produce their evidence. Petitioner has filed the copy of charge sheet dated 15-5-2004, proceeding of the enquiry, enquiry report and dismissal order. Whereas the management has filed 14 documents, i.e., charge sheet with acknowledgement, enquiry proceeding pages 2—5, enquiry report page 6-7, letter dated 19-6-2005 from management to the workman, acknowledgement of the letter dated 19-6-2005 and charge sheet dated 23-3-2005 with acknowledgement, notice of enquiry page 11, enquiry proceeding page 12—15, enquiry report page 16—18, letter dated 11-11-2005 and acknowledgement dated 21-11-2005, letter dated 21-11-2005, acknowledgement of this letter and letter dated 20-6-2006.

6. The question regarding the legality and validity of the domestic enquiry has been conceded by the Learned Counsel for the Petitioner through memo dated 3-2-2010 and it has been held to be legal and valid.

7. Learned Counsel for the Petitioner and Respondent has been heard under Sec. 11A of the Industrial Disputes Act, 1947. It has been argued by the Learned Counsel from the Petitioner that he has conceded to the legality and validity of the domestic enquiry but finding arrived at by the Enquiry Officer is not correct because, the Petitioner submitted his inability for remaining absent which has not been considered by the Enquiry Officer. Thus, the finding of the Enquiry Officer is perverse, which is a result of pre-conceived notion and thereby the

order passed on the basis of such a perverse finding of the Enquiry Officer is also illegal, arbitrary and baseless and deserves to be quashed. Learned Counsel for the Petitioner has further argued that the Petitioner has not admitted that he remained absent without any reasonable cause though he did not inform his superiors, the punishment of dismissal from services is excessive, he could have been punished with lesser punishment, mentioned under clause 26 of company's Standing Orders.

8. Against the above argument of the Learned Counsel for the Petitioner, the Respondent has argued that the Petitioner was a habitual absentee, he put in only 96 musters in the year 2003 and a charge sheet was issued to him on 15-5-2004 but he did not mend his working habits. He absented himself during the year 2004 for which another charge sheet dated 23-3-2005 was issued to him. In the year 2004 the Petitioner put in only 92 musters. He was counselled on 18-11-2005 and he was given three months time from 1-12-2005 to enable him to improve his attendance. He received the letter of advise and assured to improve his attendance but has utterly failed to improve his attendance. Thus, the management has no other option but to dismiss the Petitioner from the services because the Petitioner was already given a lesser punishment for his habitual absenteeism during the year 2000 by reversion to a lower stage of his pay. So far as the cause of absence is concerned, Petitioner pleaded that he suffered from jaundice but he has not produced any documentary proof to substantiate his contention that he remained absent due to jaundice for more than two years, if the Petitioner suffered from jaundice, he could have reported this ailment/sickness to the company's hospital but the Petitioner has not reported to the company's hospital not he has filed any document to show that he took treatment of any qualified doctor or he was advised to take rest by any competent or qualified doctor. Thus, mere saying of the Petitioner before the Enquiry Officer was not considered to be gospel truth by the Enquiry Officer in absence of any valid document and thus the Enquiry Officer has not committed any mistake in arriving at the conclusion that he Petitioner's absence from the duty was without any valid reason and the Petitioner has committed misconduct within the meaning 25.25 of the Standing Orders of the company and no fault can be find in the finding arrived at by the Enquiry Officer. In light of the above contention made by the counsels for both the sides this tribunal has to consider following points :

- (i) whether the Petitioner's absence from the duty during the year 2003-2004 was for any valid reason,
- (ii) whether the Enquiry Officer has not considered the submission made by the Petitioner and the finding of the Enquiry Officer is perverse, and
- (iii) whether the punishment imposed by the management on the Petitioner is excessive to the proved misconduct of the Petitioner ?

9. Point Nos. 1 & 2 : Both these points are inter-linked and their conclusion is based on common evidence,

as such both these points are being disposed together. It is admitted fact that Petitioner remained absent for the year 2003 and 2004 for which two separate charge sheet were issued to the Petitioner, first was dated 15-5-2004 and second dated 23-3-2005. In the charge sheet dated 15-5-2004 it has been alleged that Petitioner has put in only 96 musters during the year 2003 and remained absent in the months and dates mentioned in the charge sheet. In the same way the charge sheet dated 23-3-2005 was issued to the Petitioner wherein it has been alleged that he has put in only 92 musters during the year 2004 and has remained absent for months and dates mentioned in the charge sheet and thereby a misconduct within the Company's Standing Orders 25.25. An enquiry was ordered on the basis of the explanation given by the Petitioner. The Petitioner has participated in the enquiry. His statement was recorded by the Enquiry Officer wherein he has stated that in the year 2003 he remained absent due to ill-health and for domestic problems, "The date of absence shown in the charge sheet due to the above problems, I remained absent habitually" and he may be excused for this time. He will not repeat this type of mistake in future. This statement was recorded on 15-5-2004. However, the Petitioner did not give any explanation as to why he remained absent during the year 2004, he put in only 92 musters and a charges sheet dated 23-3-2005 was issued. Against that charge sheet enquiry was conducted on 4-5-2005 the Petitioner was present before the Enquiry Officer where he admitted to have received the charge sheet and has admitted that he has not submitted any explanation to the charge sheet. He stated that he admit the charges levelled against him, he does not want any defence assistant, even the witnesses were examined but the Petitioner did not cross examine those witnesses. In his statement before the Enquiry Officer he stated that Jaundice made him very weak and he could not work regularly he has taken treatment at the private hospitals. He may kindly be excused. This statement of the Petitioner matches with the statement of the management witness to whom no challenge has been made by the Petitioner and has admitted his guilt without any clarification. The Enquiry Officer was bound to come to a conclusion that Petitioner remained absent without any reasonable or proper cause. The Petitioner did not submitted before the Enquiry Officer that he remained ill due to jaundice in the year 2003. Against the charge sheet dated 23-3-2005 the Petitioner stated before the Enquiry Officer that due to jaundice he became weak and could not perform his duty regularly. He did not disclose that he suffered jaundice and for how many period he felt weakness. This material fact was not brought before the Enquiry Officer. Nor the period of jaundice was disclosed by the Petitioner and he admitted his absence on the dates and months mentioned in the charge sheet for which he has admitted that he did not inform his superiors nor he reported in the company's hospitals. The finding arrived at by the Enquiry Officer is based on evidence produced before the Enquiry Officer.

10. I have gone through the domestic proceeding filed, I find there is no mistake in the conclusion arrived at by the Enquiry Officer and no fault can be found in the enquiry report. The Petitioner has admitted his absence without any clarification. His submission regarding his illness from the jaundice has not been supported with any document or prescription of a qualified medical practitioner. As such the conclusion arrived at by the Enquiry Officer that the Petitioner's absence from duty was willful without any reasonable cause is valid and based on evidence. This tribunal is also of the opinion that Petitioner's absence during the years 2003 and 2004 on the dates and months mentioned in the charge sheets is without any reasonable cause and thereby the Petitioner has committed misconduct within the meaning of Standing Orders Clause 25.25.

11. Point No. 2 : There is a letter dated 21-11-2005 to prove that Petitioner was counselled he was given three months time to improve his attendance but he has not conceded to the advice of the management nor he has improved his attendance as such, the Petitioner's contention that he was afforded opportunity to improve his work is baseless. Point Nos. 1 and 2 are answered accordingly.

12. Point No. 3 : It has been stated by the workman that the punishment is excessive. The record shows that the Petitioner remained absent not only in the year 2003 but again in the year 2004 he put in only 92 musters for which he was advised in November, 2005 and he was asked to improve within three months but he has not improved his attendance. In the year 2000, he was reverted to lower grade for his absence. The management has not committed any mistake in dismissing the service of the Petitioner, the punishment imposed by the management is not disproportionate to the misconduct and habitual absence committed by the Petitioner. So far as the question of the starvation of family members of the Petitioner is concerned it is the Petitioner himself who is responsible for the starvation of his dependents and no leniency can be shown toward the Petitioner in the light of the facts of this case. There is no basis of any alteration of the punishment. The petition has got no force and deserves to be dismissed. From the above discussion, this tribunal is of the opinion that claim petition is devoid of any merit. Petitioner does not deserve any sympathy from this tribunal. Accordingly the petition is dismissed. hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, personal Assistant transcribed by her corrected by me on this the 21st day of April, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses Examined for the Petitioner :

NIL

Witnesses Examined for the Respondent :

NIL

Documents Marked for the Petitioner

NIL

Documents Marked for the Respondent

NIL

नई दिल्ली, 4 अगस्त, 2010

का.आ. 2132.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी.सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 86/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-8-2010 को प्राप्त हुआ था।

[सं. एल-22013/1/2010-आईआर(सी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 4th August, 2010

S.O. 2132.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 86 of 2007) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workmen, which was received by the Central Government on 04-08-2010.

[No. L-22013/1/2010-IR(C-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, HYDERABAD

Present : Shri Ved Prakash Gaur, Presiding Officer

Dated the 21st day of July, 2010

Industrial Dispute L.C. No. 86 of 2007

Between :

Sri Saheb Hussain,
S/o Oli Hyder,
R/o Tekumatla,
Mandal Jaipoor,
District : Adilabad

... Petitioner

AND

1. The Project Officer,
Indaram Khani, I & II A Chennur Mines,
Chennur. Post : Chennur,
Distt. : Adilabad
2. The Managing Director, (Admn.),
M/s Singareni Collieries Company Ltd.,
Post : Kothagudem,
District : Khammam

..... Respondents

APPEARANCES

For the Petitioner : Sri S. Bhagawanth Rao, Advocate

For the Respondent : M/s. P.A.V.V.S. Sarma & Vijayalaxmi
Panguluri, Advocate

AWARD

Sri Mohd. Sahab Hussain, an ex-employee of M/s. Singareni Collieries Company Ltd., has filed this petition under Sec. 2A (2) of I. D. Act, 1947 in light of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W. P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnapa and M/s. Cotton Corporation of India and two Others challenging his dismissal order dated 1-5-2005 as illegal and arbitrary and to reinstate him in the company's services with full consequential service benefits.

2. It has been alleged in the claim petition that the workman was appointed on 13-3-1987 and discharged his duties to the fullest satisfaction of superiors his services were governed by company's Standing Orders. The respondent issued charge sheet No. 1K/2004/R.08/219, dated 22-1-2004 for absenteeism which is a misconduct under Section 25:25 of Standing Orders of the company.

3. It was further stated that Petitioner put in 166 musters in 2002, 104 in the year 2003 and 84 musters in the year 2004. The Respondent conducted formal enquiry and dismissed the Petitioner from service on 1-5-2005 which is the last punishment in the Standing Orders of the company. Without considering the past conduct of the Petitioner extreme penalty of dismissal has been imposed on the Petitioner. It has further been alleged that Petitioner has taken treatment in Colliery Dispensary. As the Petitioner declared unfit on 11-11-2004 and was taken on duty after 26-11-2004, his wounds were not completely healed inspite of taking treatment from company's hospital. Petitioner met with accident and sustained serious injury in his leg and foot due to which he was unable to attend to his duties, he requested the management to provide surface job but was not provided. Respondent conducted enquiry in a biased manner with a view to make the Petitioner a scape goat, the removal is totally false. The Respondent insisted upon the Petitioner to go underground for work which Petitioner could not do. The conduct of domestic enquiry was for show, the charge sheet and memo is void ab initio. Respondent has adopted unfair labour practice to victimize the Petitioner. The domestic enquiry was challenged and the Petitioner has requested to set aside the impugned dismissal order and to reinstate the Petitioner into service.

4. The Respondent submitted counter statement and challenged the very maintainability of the claim petition on the ground that Sec. 2A(2) is a State Amendment, not applicable in the case of Central Government employees. It has further been alleged that Petitioner was dismissed from service on the ground of proved misconduct of absenteeism after conducting detailed domestic enquiry following the principles of natural justice. Domestic enquiry was conducted in a fair manner affording full opportunity to the Petitioner, it was neither biased nor influenced by the Respondent management.

5. It is further contended by the management that

though Petitioner was appointed on 27-3-1987 as badli filler and subsequently appointed as coal filler and he put in 18 years of service in the company. The Petitioner remained absent on number of occasions without sufficient cause. he put in 166 musters in 2001 and 164 musters in 2002 and 50 musters during 2003, as such, a charge sheet No. IA/2004/R08/219, dated 22-1-2004 for habitual absence during 2003 was issued to the Petitioner calling upon him to submit his explanation, the Petitioner acknowledged the receipt of charge sheet and submitted his explanation on which enquiry was ordered and notice was issued to the Petitioner by the Enquiry Officer advising him to attend enquiry proceeding on 29-10-2004 and fully participated in the enquiry. The Enquiry Officer explained the procedure of enquiry in Telugu language to the Petitioner in which the Petitioner was well-versed and well-acquainted. The Petitioner pleaded guilty of the charges levelled against him. The refused to take assistance of his co-worker during course of enquiry. The management produced Pay sheet of the year 2003. Petitioner records were verified in the presence of the Petitioner and were marked before the Enquiry Officer. During course of enquiry Petitioner stated before the Enquiry Officer that he met with a road accident and did not intimate to the management. The Petitioner further assured the management that he will not repeat such mistake in future. The Petitioner did not produce any material in support of his statement. The principles of natural justice were followed. On the basis of the material placed before the Enquiry Officer by the management and his witnesses coupled with the voluntary admission of the Petitioner, the charges levelled against the Petitioner were found to be proved.

6. It has further been stated by Respondent that Respondent issued show cause notice dated 3-1-2004 letter No. 1K-IA/04/R10/4215 including therewith the enquiry proceeding and enquiry report for submission of the explanation of the Petitioner. It was received and acknowledged by the Petitioner but he did not submit any explanation. After considering the material evidence on record of the enquiry proceeding and report of the Enquiry Officer and past service record of the Petitioner, it was felt by the company that there was no extenuating circumstances to take lenient view in the matter of the Petitioner and it was decided to dismiss the Petitioner from service w.e.f. 1-1-2005 vide office order No. SRP/PER/13.008/7050 dated 27-12-2004. The Petitioner's contention that the management has not taken into consideration the past conduct of the Petitioner is not correct.

7. It was further alleged by the Respondent that the period for which the Petitioner was under treatment due to road accident was not included in the charge sheet served on the Petitioner. The accident occurred on 13-9-2003 before that the Petitioner has put in only 50 musters during that year 2003. The Petitioner cannot make the accident as shield to cover his previous unauthorized absence from duty. The contention of the Petitioner that

no subsistence allowance was given to him during course of domestic enquiry has got no force as it is not legally tenable because Petitioner was not placed under suspension during the period of enquiry proceeding, as such, the question of payment of subsistence allowance does not arise in the case of the Petitioner. The number of children of the Petitioner is not a good ground for taking lenient view in the matter of Petitioner because the Petitioner himself has been negligent and careless in performance of his duties in the company of the Respondent as such the number of children have got no consequence on the punishment of the Petitioner. The Petitioner alleged to have issued demand letter notice dated 26-12-2006, such notice have not been received in the office of the Respondent. Petitioner has approached this tribunal directly without following the provisions department at appeal before filing this claim petition. Petitioner has remained absent unauthorizedly during the year 2003 which is misconduct within the company's Standing Orders 25.25 and the punishment imposed for such misconduct is not disproportionate to the misconduct committed by the Petitioner. There is no force in claim petition and it deserves to be dismissed.

8. Parties were directed to produce evidence. Petitioner along with claim petition has filed copy of representation dated 26-12-2006, fitness certificate dated 26-11-2004 wherein he was shown unfit on 11-11-2004 and fit on 26-11-2004, copy of Fit certificate dated 3-5-2004 wherein he was shown up fit on 13-9-2003. The statement of his attendance, again fit certificate dated 26-6-2004 wherein he was shown unfit on 15-5-2004, dismissal order dated 27-2-2004 and letter dated 3-11-2004 including enquiry report and enquiry proceedings.

9. Respondent has filed domestic enquiry proceedings, original papers, which runs into 16 pages, which consists of charge sheet dated 27-1-2004, Petitioner's reply dated 10-2-2004, Petitioner's letter dated 12-2-2004 and his admission that he performed only 50 musters during 2003 and giving assurance to the management that he will perform 25 musters in future, notice dated 18-8-2004, 7-9-2004 and 27-10-2004, enquiry proceeding wherein Petitioner has admitted that he has received the charge sheet, management witnesses and documents has been produced in presence of the Petitioner, he examined himself before the Enquiry Officer and the enquiry report holding that the Petitioner guilty of the charges, show cause notice along with proceeding of the enquiry and enquiry report and punishment order.

10. The Petitioner's counsel attended this tribunal for argument. The Petitioner did not contest even legality and validity of the domestic enquiry which was upheld due to non-challenge of domestic enquiry and held to be valid on 8-7-2009. I have heard argument of the Learned Counsels for both parties and I have also gone through the entire material available on the record. It has been argued by the Learned Counsel for the Respondent that

workman absented himself from January, 2003 to 12-9-2003 for more than 107 days. He has put in only 50 musters during this entire period. He has not applied for any type of leave nor he intimated the company regarding his absence nor he sought any leave thereof. Thus, the conduct and manner in which the Petitioner has performed the duty proved that the Petitioner was unwilling and most careless worker. He himself has admitted in his written admission dated 12-2-2004 when he was called upon for counselling by the Personal Manager of the company, that he remained absent during the previous months and he put in only 50 musters for which he is feeling regretted, he assured that he will put in 25 musters in every month in future. This shows that Petitioner remained absent without any cause. So far as his accident is concerned it took place on 13-9-2003 i.e., after issuance of the charge sheet and for that period he was not issued charge sheet. The absence of the Petitioner after the road accident is not relevant for the purpose of condoning the absence of the Petitioner for the month of January 2003 to 11-9-2003.

11. Learned Counsel for the Petitioner submitted that Petitioner served for 16 years, he was irregular in 2004 and 2005, as such, his life should not be spoiled. He has relied upon the case law 2009 III L.C.J. 373 (SC) and 2009 (IV) LLJ. 672 (SC), both those cases are not applicable because, the Petitioner has participated in the enquiry proceeding, the management has examined Sri I.C.S. Rao, Office Superintendent, IK-IA Incline who has confirmed that Petitioner has put in only 50 musters during the period stated in the charge sheet. This fact has further been corroborated by Sri B. Vijay Kumar, Pay Sheet Clerk who has produced the attendance sheet of the Petitioner, the Petitioner was given opportunity to cross examine them. He has not cross examined those witnesses and himself has examined as defence witness, who has admitted that, "it is true that I have remained absent habitually in the year 2003", "I admit that I have remained absent for duty unauthorizedly in the year 2003 without any leave or permission". He further stated that his father's health was deteriorated and he was forced to move him to hospital and there after he met with an accident on 13-9-2003. Thus the own statement Petitioner coupled with the evidence of the management witnesses and the documents produced by the management it is proved that Petitioner remained absent for 149 days during charge sheeted period and he has put in only 50 musters. He has not informed about his absence nor has sought any type of leave. He has not given any information, thus he has committed the misconduct under company's standing Orders 25.25 for which he has been punished taking into consideration his past conduct and service record. Thus, the punishment is neither excessive nor disproportionate. This petition has got no force and deserves to be dismissed.

12. On the basis of the above argument of the Learned Counsels for the parties, I myself has gone through the claim statement and other material placed by the

Petitioner and have also gone through the evidence of the Respondent and counter statement. On the basis of these material, claim statement and counter statement, following points have to be considered by this tribunal :—

(I) Whether the Petitioner absent during the year January, 2003 and 11-9-2003, was for a reasonable and good cause ?

(II) Whether the Petitioner was constrained to do his duties due to ill-health or illness is alleged by him ?

(III) Whether there is any illegality or irregularity in the finding of the Enquiry Officer and

(IV) Whether the punishment imposed on the Petitioner is excessive ?

FINDING

13. Points (I), (II) & (III) : All these three points are based on common evidence and thus it deserves to be decided jointly. It is not disputed by the Petitioner that he put only 50 musters during January, 2003 to 11-9-2003. Though the Petitioner has stated in the claim petition that he was issued with the charge sheet which was ab-initio void. The Petitioner has not been able to show before this tribunal as to how the charge sheet dated 22-1-2004 is ab-initio void the chargesheet consists of detailed months and dates and date of absenteeism from January, 2003 to September, 2003. It further discloses the number of musters put in by the Petitioner during the year 2003, this charge sheet was received by Petitioner who has issued receipt of its service. He has submitted his reply dated 10-2-2004 and during course of his counselling he has admitted that he was absent in the months alleged in the charge sheet and he has put only 50 musters. The admission bears the thumb impression of the Petitioner. From the own documents of the Petitioner it is proved that Petitioner has put in 166 musters in 2001, 164 musters in 2002 and 50 musters in 2003, thus, there is no dispute that the Petitioner remained absent for 149 days during the period to which charge sheet is concerned upto 11-9-2003. The Petitioner has not given any explanation for the cause of his absence. He has produced xerox copy of fitness certificate dated 26-11-2004 and 3-3-2005 which relates to the period beyond charge sheeted period. Thus, the documents produced by the Petitioner before this tribunal is also of no help to Petitioner because it doesnot relate to the period for which Petitioner was charge sheeted to and remained absent during January, 2003 to 11-9-2003. No plausible explanation has been given by the Petitioner for his absence. During course of enquiry before the Enquiry Officer, the Petitioner has admitted that he has not informed to his superiors nor he has sought any type of leave for remaining absent during the chargesheeted period. Apart from this, the management witness Sri I.C.S. Rao and B. Vijay Kumar, Pay Sheet clerk who has prepared the attendance sheet of the Petitioner proved that Petitioner remained absent for 149 days during the period for which he was charge sheeted. All this prove that the Petitioner remained absent for 149 days without any intimation to his

superiors without any type of sick leave or for any valid reason. In my opinion, the finding arrived at by the Enquiry Officer that charges against the Petitioner is proved is neither baseless nor illegal nor it deserves any interference by this tribunal.

14. The record proves that Petitioner remained absent during January, 2003 to 11-9-2003 for a total period of 149 days without any plausible reason, he did not inform his superiors about his absence, there is no evidence that he was suffering from any type of illness during this period, thus, the absence of Petitioner was without any reasonable cause, it was willful and out come of careless and negligent behaviour of the Petitioner for which no leniency could be shown. The Petitioner's misconduct in company's Standing Orders clause 25.25 is proved without any doubt. The finding of the Enquiry Officer is based on material placed before and admission of the Petitioner has no fault can be find in it. Point Nos. (I), (II) and (III) decided accordingly.

15. Point No. IV : It has to be considered whether punishment imposed upon the Petitioner is disproportionate to the misconduct committed by him. I have considered this important question and I am of the view that the Petitioner who remained absent during January, 2003 to 11-9-2003 without any reasonable cause and without any intimation to his superiors shows that Petitioner was an unwilling worker. He was negligent towards his duties. he was neither careful for his duty nor about his family. The misconduct of regular absenteeism is grave one and in light of the gravity of the misconduct, the punishment of dismissal imposed by the management is neither disproportionate nor excessive. It is the only appropriate punishment in the matter of the present Petitioner. Petition has got no force, deserves to be dismissed, Petitioner is not entitled for any sympathetic consideration and no leniency can be shown to the Petitioner. Petition deserves to be dismissed as he is not entitled for any relief. Point No. IV is decided accordingly.

14. From the above discussion this tribunal has come to conclusion that Petitioner deserves no sympathy the claim petition is devoid of any merit, he is not entitled for any relief or any lenient alternative punishment. Petition is dismissed with costs. Hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant, transcribed by her corrected by me on this the 21st day of July, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses Examined for the Petitioner	Witnesses Examined for the Respondent
NIL	NIL
Documents Marked for the Petitioner	NIL
Documents Marked for the Respondent	NIL

नई दिल्ली, 4 अगस्त, 2010

का. आ. 2133.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 119/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-8-2010 को प्राप्त हुआ था।

[सं. एल-22013/1/2010-आई आर(सी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 4th August, 2010

S. O. 2133.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 119/2006) of the Central Government Industrial Tribunal -cum- Labour Court, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 4-8-2010.

[No. L-22013/1/2010-IR(C-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT HYDERBAD**

Present : Shri Ved Prakash Gaur, Presiding Officer

Dated the 22nd day of April, 2010

Industrial Dispute L.C. No. 119/2006**Between:**

Sri Tulsi Ramesh Kumar,
S/o Venkataiah
C/o Smt. A. Sarojana, Advocate,
Flat No. G7, Ground Floor, Rajeshwari
Gayatri Sadan, Opp. Badruka Jr. College
For Girls, Kachiguda,
Hyderabad Petitioner

AND

1. The General Manager,
M/s. Singareni Collieries Company Ltd.,
Mandamarri Area, Post Kalyankhani,
Adilabad District.
2. The Colliery Manager,
M/s. Singareni Collieries Company Ltd.,
MK-4 incline,
Mandamarri. Adilabad District Respondents

APPEARANCES

For the Petitioner : M/s. A. Sarojana, K. Vasudeva
Reddy & P. Basavaiah, Advocates

For the Respondent: Sri M.V. Hanumantha Rao, Advocate

AWARD

Sri Tulsi Ramesh Kumar, an ex-employee of M/s. Singareni Collieries Company Ltd., has filed this petition under Sec. 2A (2) of the I.D. Act, 1947 in light of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. It has been alleged that Petitioner was appointed as badli filler on 11-4-87 and was confirmed as coal filler in the year 1995. He was given services linked upgradation in the year 2002. He put in regular musters upto 2001. A charge sheet dated 15-12-2002 was issued alleging therein that Petitioner has put in 32 musters during the year 2002 which amount to misconduct under company's Standing Orders 25.25 and 25.31. On receipt of the said charge sheet Petitioner submitted explanation on 17-12-2002 explaining the reason for his inability to perform his duty in the year 2002. Without considering the merits of submission made by the Petitioner an enquiry was ordered and conducted with a pre-determined notion. During course of enquiry the Petitioner was not given any opportunity basing on one side enquiry, the Enquiry Officer held the charges to be proved and basing on the erroneous finding of the Enquiry Officer a show cause notice dated 1-6-2003 was issued to the Petitioner to which the Petitioner workman submitted his explanation on 12-7-2003. However, without considering the explanation submitted by the Petitioner, he was dismissed from service w.e.f. 12-5-2004 by office order dated 30-4-2004.

3. Petitioner has submitted during the course of enquiry that on account of his ill-health, ill health of family members and other family problems he could not attend to his duties regularly. The action of management in dismissing the services of the Petitioner is illegal, arbitrary and violative of principles of natural justice on the ground that whole enquiry was conducted in routine and mechanical manner with a pre-determined notion to somehow or the other to put the Petitioner to extreme hardship.

- (ii) Respondent failed to apply his mind independently while issuing impugned order of dismissal dated 3-4-2004,
- (iii) The procedure of enquiry was not explained to the Petitioner and he was not assisted by any defence assistant.

The Petitioner has shown all the prescriptions and unfit letters issued by the company's hospitals including fit certificate dated 26-7-2002 by company's Medical Officer none of them were marked by the Enquiry Officer at the time of enquiry and submissions of the Petitioner were ignored on the pretext that Petitioner could not substantiate his claim with relevant proof. Thereby great prejudice was caused to the Petitioner. No opportunity was given to the Petitioner to produce his evidence. The Petitioner has

further contended that he is sole bread winner in his family, his family consists of his mother, wife and son and daughter. As a result of his dismissal from the service his whole family is rendered without any livelihood. He has prayed for the quashment of the order dated 12-5-2004 and to reinstate him in the service with all service benefits.

4. Counter statement has been filed by the Respondent. The Respondent has contended that the Petitioner was appointed on 11-4-87 as floating badli filler and subsequently regularized as coal filler. He was issued with a charge sheet dated 15-12-2002 to which he submitted his explanation dated 17-12-2002 wherein he stated that he remained absent due to ill-health. The explanation was not satisfactory and enquiry was ordered and conducted affording full and fair opportunity to the Petitioner to defend himself. The enquiry was conducted complying with the principles of natural justice. The charges were proved. The enquiry report along with the proceeding was sent to the Petitioner on 1-6-2003 calling for the representation of the Petitioner who submitted his representation on 17-9-2003 assuring the management that he will put 22 filling musters every month and fill two or more tubs per day. The Petitioner along with his wife Smt. Aruna were counselled on 24-9-2003, there also the Petitioner assured to put in 22 filling musters in each month he was put under observation from 25-9-2003 to 24-12-2003. But Petitioner failed to put in requisite musters during the period of observation. Thereafter further opportunity was given to the Petitioner to improve his performance. For a further period of three months. The Petitioner failed to improve his assurance. Thereby the management was constrained to dismiss the Petitioner w.e.f. 12-5-2004 after the proceeding dated 30-4-2004. The contention of the Petitioner that enquiry was conducted with pre-determined notion and no opportunity was given to the Petitioner is denied and is put to strict proof. During course of enquiry, the Petitioner did not produce any documentary evidence regarding his alleged ill-health. The contention of the Petitioner that dismissal order is illegal arbitrary and violative of principles of natural justice is incorrect. The requirement of the principles of natural justice has been fairly observed. The procedure were explained to the Petitioner during the course of enquiry. The Petitioner himself has admitted regarding the unauthorised absence. The company has got its own hospitals for treatment of its employees and where it is found that out side treatment is required for a complicated disease, the workers are referred to Osmania General Hospital, Gandhi Medical Hospital, NIMS and other named hospitals. The Petitioner was unwilling worker, he habitually remained absent, as such, penalty of dismissal is not disproportionate or excessive.

5. Parties were directed to produce evidence. Petitioner has filed charge sheet extract from the departmental enquiry proceedings. Respondent has filed original record of domestic enquiry and the Petitioner has filed Xerox copy of the same documents.

6. It is pertinent to mention here that the Petitioner has challenged the legality and validity of the domestic enquiry at the very outset of the claim petition but on 29-6-2009 Learned Counsel for the Petitioner has moved memo conceding the legality and validity of the domestic enquiry on the basis of which the domestic enquiry has been held to be legal and valid and the matter was posted for argument u/s 11A.

7. I have heard Learned Counsel for the Petitioner as well as that of Respondent and I have gone through the claim statement, counter statement and the documents filed by both the parties. It has been argued by the Learned Counsel for the Petitioner that Petitioner has submitted his explanation wherein he pleaded that he remained absent due to his ill-health and he has submitted documentary proof in support of his ill-health. He has further argued that the Enquiry Officer has not considered the submissions made by the delinquent, before the Enquiry Officer nor he has given any finding regarding the submission made by the delinquent employee regarding his absence and the cause of his absence. As such the finding of the Enquiry Officer is perverse and based on one-sided evidence. He has further argued that though it is not admitted that the Petitioner remained absent without any sufficient reason even there if this court come to the conclusion that Petitioner remained absent, the punishment of dismissal is excessive and disproportionate.

8. Against the above argument of the Learned Counsel for the Petitioner Learned Counsel for the Respondent has argued that though the Petitioner has contended in his explanation that he sustained injury in his head in the month of July, his own statement proves that he remained hospitalized or under complete hospital treatment for six days only, i. e. from 20-7-2002 to 26-7-2002, thus the explanation given by the Petitioner was neither sufficient nor reasonable to condone his absence. The Petitioner has further stated that he was having swelling in his leg, this submission was not supported by the own statement of the Petitioner. Against own submission of the Petitioner, he has voluntarily admitted that he pleaded guilty for remaining absent. He has categorically stated that he remained absent habitually without leave, sick leave or prior permission. Thus, the Enquiry Officer has not committed any mistake in coming to the conclusion that Petitioner has absented himself without any sufficient cause through out the year 2002 and Petitioner has put in only 32 musters during the entire period of 2002 and 102 musters in 2001. Thus, the management has not committed any mistake in dismissing the Petitioner from the services.

9. In the light of the above arguments and submissions of the counsel for both the parties this tribunal has to consider the following points:

- (a) whether the Petitioner remained absent for any valid or reasonable cause,
- (b) whether the Enquiry Officer has not considered the submission made by the Petitioner and that service produced by the Petitioner as alleged by him.

- (c) whether the punishment imposed by the management is disproportionate to the gravity of the misconduct committed by the Petitioner or any alternative punishment is likely to be taken in the present case?

10. Point Nos. (a) & (b): From the own contention of the Petitioner it is admitted that he was issued with a charge sheet dated 15-12-2002 under company's Standing Orders clause 25.25 which reads as follows, "Habitual late attendance or habitual absence from duty without sufficient cause". A reply was submitted by the Petitioner wherein he has stated that he sustained head injury in the month of July. I have gone through the proceeding book of the domestic enquiry and documents filed by both the parties. There is explanation of the Petitioner in Telugu language. He has submitted in his explanation in Telugu which has been read by me through the help of my Personal Assistant who is conversant with Telugu language, she has read the explanation wherein the Petitioner has stated that he sustained injury in his head in the month of July, 2002 and he under gone treatment in the Area Hospital and again in the month of November, there was swelling in his leg but he has not filed any medical report or certificate to prove that he sustained injury in the month of July or he was having swelling in his leg in 2002 which has caused in restriction in his movements. His statement was recorded, he has admitted to have received the chargesheet. In his own statement he put before the Enquiry Officer the Petitioner has stated that, "I admit that I remained absent from duty on the dates mentioned in the charge sheet without leave or information". He has stated that "I reported unfit at company's hospital from 20-7-2002 to 26-7-2002 but did not submit sick certificate at office. Due to family problems and ill-health of family members I did not attend the duty and I did not apply for any type of leave. He admitted his lapses and he assured that he will improve in future. The Petitioner contended that he sustained head injury but during course of his submission, he has stated that he reported sick in Area Hospital on 20-7-2002 and got his treatment till 26-7-2002 for six days only. What was the cause of his absence from January, 2002 to 19th July, 2002 has not been explained by the Petitioner, not only that, after 26-7-2002 also Petitioner did not attend his duties upto December, 2002 this absence has not been explained by him. Though in his written submission he has mentioned that there was swelling in legs in the month of November, 2002 what was the nature of swelling has not been explained by the Petitioner nor he has filed any medical prescription or certificate that due to the swelling in his leg he was unable to move and attend to his duties. This slackness on the part of the Petitioner proves that the Petitioner was a unwilling worker and he remained absent through out the year but for 32 days without any reasonable or proper cause. Learned Counsel for the Petitioner has argued and submitted in his claim statement that medical report submitted by the Petitioner was not considered by the Enquiry Officer. But I find that there is no medical certificate produced by the Petitioner during the course of enquiry nor medical certificate has

been produced by the Petitioner along with claim statement to prove that such and such medical certificate was produced which was not been considered by the Enquiry Officer. The averment made in the claim statement prove that the Petitioner is not a truthful man he remain absent without any reasonable cause and he is making false allegations against the Enquiry Officer. Since no medical report or sick report was produced by the Petitioner before the Enquiry Officer the question of non-consideration of such medical report does not arise and enquiry report is justified in holding the Petitioner guilty of remaining absent without any sufficient cause. The Petitioner was counselled, he was given opportunity to improve his working but even after giving opportunity he has not availed the opportunities he did not improve his attendance and thus there is no fault in the enquiry report as well. From the above discussion this tribunal has come to a conclusion that Petitioner remained absent during the year 2002 for without sufficient reasons, his sickness for six days in the month of July, 2002 will not absolve him for the entire period of 2002. The finding of the Enquiry Officer is based on the material placed before him and no fault can be find in it. Point No. (a) and (b) are decided accordingly.

11. Point No. (c) : It has been argued that due to illness the Petitioner remained absent as such his misconduct is only to the extent that he did not inform his superiors regarding his illness and order of dismissal is disproportionate to the misconduct committed by the Petitioner workman. I have considered this argument since the Petitioner has not been able to prove that his absence was due to his ill-health but for the six days in the month of July, 2002, the Petitioner has remained absent without any reasonable and sufficient cause. He has neither informed his superiors regarding his absence nor he sought any type of leave. He did not improve his working even after the counseling advise given by the management. The management was justified in imposing the penalty of dismissal against the Petitioner workman.

12. Petitioner's contention that his family is suffering due to his dismissal from the service. No leniency can be shown to the Petitioner because the Petitioner himself was responsible for the starvation and sufferings of his family and he can not take advantage of his own fault. There is no illegality or irregularity in the order passed against the Petitioner the order of dismissal is fully justified in the present case and the dismissal is appropriate punishment in the matter of present Petitioner. Point No. (c) is decided accordingly.

13. From the above discussion, this tribunal is of the considered opinion that the petition is based on misconceived facts and false allegations. Petitioner does not deserve any relief from this tribunal and petition deserves to be dismissed and is dismissed. Hence, this award.

Award passed accordingly, Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 22nd day of April, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
NIL	NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 5 अगस्त, 2010

का. आ. 2134.—जबकि भारत हेवी इलेक्ट्रिकल्स लिमिटेड (जिसे इसके पश्चात् उक्त प्रतिष्ठान कहा गया है) ने उपदान उपदाय अधिनियम, 1972 (1972 का 39) (इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा-5 की उप-धारा (1) के अन्तर्गत छूट प्रदान करने के लिये आवेदन किया है;

और जबकि केन्द्रीय सरकार की राय में, भारत हेवी इलेक्ट्रिकल्स कर्मचारी उपदान निधि नियमों के अन्तर्गत देय उपदान लाभ, जो कि उपदान लाभों के संबंध में उक्त प्रतिष्ठान के कर्मचारियों को दिये जायें, उक्त कर्मचारियों के लिए उक्त अधिनियम के अन्तर्गत उपदान लाभों से कम लाभदायक नहीं है;

अतः अथ उक्त अधिनियम की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम पंचांगलय की दिनांक 11-03-2005 की अधिसूचना का. आ. 1333 के काम में केन्द्र सरकार उक्त प्रतिष्ठान को निम्नलिखित शर्तों के अधीन 29-11-2009 में छूट प्रदान करती है और अवधि के लिए उक्त अधिनियम के उपबंधों के प्रचालन में छूट प्रदान करती है; अर्थात्—

- (i) यदि भारत हेवी इलेक्ट्रिकल्स कर्मचारी उपदान निधि नियमों के कार्यान्वयन के संबंध में कोई विवाद उत्पन्न होता है तो उक्त अधिनियम के अन्तर्गत नियंत्रण प्राधिकारी और अपीलीय प्राधिकारी का पास उक्त अधिनियम के उपबंधों के अनुसार हस्तक्षेप करने और निर्धारित करने की शक्तियाँ होंगी; और
- (ii) केन्द्रीय सरकार की लिखित पूर्वानुमति के बिना भारत हेवी इलेक्ट्रिकल्स कर्मचारी उपदान निधि में कोई परिवर्तन नहीं किया जाएगा।

[सं. एस-42014/01/2010-एस एस- II]

नरेश जायसवाल, अवर सचिव

New Delhi, the 5th August, 2010

S. O. 2134.—Whereas the Bharat Heavy Electricals Limited (hereinafter referred to as the said establishment) has applied for exemption under sub-section (1) of the Section 5 of the Payment of Gratuity Act, 1972 (39 of 1972) (herein after referred to as the said Act);

And whereas in the opinion of the Central Government, the gratuity benefit payable under the Bharat Heavy Electricals Employees' Gratuity Fund Rules as applicable to the employees of the said establishment with respect to gratuity benefits are not less favourable to the said employees than those conferred under the said Act;

Now, therefore, in exercise of the powers conferred

by Section 5 of the said Act, and in continuation of the Notification of the Government of India in the Ministry of Labour S.O. 1333 dated 31-03-2005 the Central Government hereby exempts the said establishment from the operation of the provisions of the said Act for a further period of three years with effect from 29-11-2009, subject to the following conditions, namely:—

- (i) If any dispute arises with regard to the implementation of the Bharat Heavy Electricals Employees' Gratuity Fund Rules, the Controlling Authority and Appellate Authority under the said Act shall have the power to intervene and determine it, in accordance with the provisions of the said Act; and
- (ii) No change in the Bharat Heavy Electricals Limited Employees' Gratuity Fund shall be made without prior permission in writing of the Central Government.

[No. S-42014/01/2010-SS-II]

NARESH JAISWAL, Under Secy.

नई दिल्ली, 6 अगस्त, 2010

का. आ. 2135.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डिपार्टमेंट ऑफ पोस्टस् एण्ड टेलीग्राफ्स के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट (संदर्भ संख्या 19/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-8-2010 को प्राप्त हुआ था।

[सं. एल-40011/58/2007-आई आर (डी यू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 6th August, 2010

S. O. 2135.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 19/2008) of the Central Government Industrial Tribunal cum-Labour Court, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Posts & Telegraphs, Chennai and their workman, which was received by the Central Government on 6-8-2010.

[No. L-40011/58/2007-IR(DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI**

Thursday, the 29th July, 2010

Present:- A.N. JANARDANAN, Presiding Officer

Industrial Dispute No. 19/2008

[In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of

the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Principal Chief Post Master General (TNCircle)/Senior Superintendent of Post Offices, Madurai Division and their Workmen)

Between:

Sri Gangaikonda Chozhan & 9 Others : I Party Petitioners

RNR Postal Assistant

Samayanllur

PO-625402

Vs.

1. The Principal Chief Post Master General : 2nd Party/1st
(TN/Circle) Respondent
Department of Posts & Telegraphs
Chennai-2

2. The Sr. Superintendent of Post Offices : 2nd Party/2nd
Department of Posts & Telegraphs Respondent
Madurai Division,
Madurai-600002

Appearance:

For the 1st Party/Petitioner : M/s. Karthik,
Mukundan &
Neelakantan,
Advocates

For the 2nd Party/Management : Sri S. Nagarajan,
ACGSC

AWARD

The Central Government, Ministry of Labour vide its Order No.L-40011/58/2007-IR(DU) dated 11-03-2008 and Corrigendum dated 01-05-2009 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

“Whether the demand of Sri S. Gangaikonda Chozhan and nine others, as per Annexure for payment of HRA, CCA, Leave, Medical, PF Facilities and Productivity Linked Bonus vide Corrigendum dated 01-05-2009 to them by the management of Principal Chief Postmaster General (TN Circle)/Senior Superintendent of Post Offices, Madurai Division is legal and justified? If yes, to what relief the workman are entitled to?”

2. After the receipt of Industrial Dispute, this Tribunal has numbered it as ID 19/2008 and issued notices to both sides. Both sides entered appearance through their advocates and filed Claim and Counter Statement as the case may be.

3. The averments in the Claim Statement briefly read as follows:

The petitioners are legal heirs of deceased employees of the Postal Department who died in harness leaving behind their families in an indigent condition. As per compassionate appointment scheme, the petitioners applied for appointment in suitable “C” or “D” posts. The

petitioners were considered for appointment by duly constituted Circle Selection Committee headed by Chief Postmaster General and were selected for appointment. They were thereafter imparted the necessary Postal Induction Training. They came out successful in the training and they were in the approved list of candidates to be appointed under the compassionate quota as and when vacancies arise with assurance of they being accommodated in suitable Group ‘C’ and ‘D’ posts in due course. While so, due to numerous vacancies in the Group ‘C’ and Group ‘D’ post remaining unfilled for a long period and the administration being thus affected, the petitioners were engaged to discharge the duties in the vacant posts till they are regularized in the compassionate appointment quota according to seniority. The petitioners had been warned with prejudice if they do not discharge such duty. They had no other choice but to work on temporary basis continuously for years. Their original certificates were also taken by Respondents with caution deposits. Thus the petitioners have been working as Postal Assistant in Madurai Division since 1996-1997 without break discharging same duties as of regular employees. They were paid monthly salary of the minimum of the Basic Pay+Dearness Pay+ Dearness Allowance as of regular Postal Assistant. However, increments, HRA, CCA, leave, medical and PF incentives were not given to which they are entitled on par with regular employees. The pay was fixed on the basis of memo of the Chief Postmaster General dated 16-07-1996 on number of days rata they worked as in the case of outsiders working in such cadre. HRA, CCA admissible under Rule-110 (b), Appendix-VI of Vol-4 of Post and Telegraph Manual were denied to them. The High Court of Madras had also adjudged the eligibility to similarly situated persons under the Postal Manual. The petitioners’ request for the same was rejected on untenable grounds by the Respondents. On move before the Central Administrative Tribunal the benefits were ordered to be extended. However, the same is not implemented. Productivity Linked Bonus declared every year is not being paid to the petitioners since 1997, which is given even to casual labourers on completion of 240 days of work. The petitioners have also not been classified under any category despite Section-46 of the Standing Orders. The petitioners are also entitled to increments in the Scale of Pay, medical facilities and allowances, PF facilities as that of regular employees. ID was raised and the conciliation failed. The reference happend to be remitted leaving out issues of non-payment of Productivity Linked Bonus and Annual Increments to which course Government has no power. Without prejudice to their rights in law regarding the left out issues, the present claim is pursued. Hence the claim.

4. In the Reply Statement the contentions raised briefly read as follows:

Since the petitioners are not regular employees but working in short term and leave vacancies for want of vacancies for absorption, they are not eligible for the claims. It is not correct to say that their original certificates were

taken. They are in the waiting list for absorption. The original certificates were verified and returned to them. No Caution Deposits were collected. They being waitlisted candidates are not eligible for HRA and other benefits given only to the regular employees. They are not accommodated in regular vacancies. P & T Manual Volume-IV is applicable only for departmental employees. SLP is pending before the Supreme Court with no. 13519/07 and stay is in force. The claim of benefits of the petitioners is linked with the SLP. There is no provision regarding drawal of bonus to RRR candidates. The department is not to be blamed for that. The matter needs policy decision by the department. Hence they are not entitled to Productivity Linked Bonus. Only with absorption they will be classified as Central Government Employees. They do not come under the purview of ID Act. They are not eligible for increment till absorption regarding which SLP is pending. Medical facilities are also grantable only on absorption. Only regular employees can subscribe to GPF under existing rules. The respondents have to wait for the outcome of the SLP. The claims raised require policy decision by the department and the respondents cannot decide. The petitioners have failed to implead the necessary party. In Tamil Nadu Circle about 600 approved candidates are in the waiting list for absorption in various cadres. In the absence of vacancies under the quota to absorb them and as per directions of the Postal Directorate to cease maintenance of waiting list, the waitlisted candidates were offered Gramin Dak Sevak Course and then they moved Central Administrative Tribunal and Central Administrative Tribunal directed them to be considered for compassionate appointment. Writ Petitions filed by the department as many as 51 in number before High Court of Madras were dismissed against which SLP has been filed and the same is pending with stay order against the operation of the High Court order. The claims deserve to be dismissed.

5. Points for consideration are :

- (i) Whether the demand of the petitioners 10 in number for payment of HRA, CCA, Leave, Medical and PF facilities and Productivity Linked Bonus is legal and justified?
- (ii) To what relief the concerned workmen are entitled?

6. The evidence consists of the oral evidence of WW1 and Ex.W1 to Ex.W50 marked on the side of the petitioners and the oral evidence of MW1 with no documentary evidence adduced on the Respondent's side.

Points (i) and (ii)

7. The reference is regarding the legality and justifiability of the demand by the petitioners, 10 in number who are legal heirs of deceased employees of the Postal Department who died in harness and are presently approved and waitlisted candidates to be appointed under the compassionate appointment quota against vacancies in suitable Group 'C' and Group 'D' posts for payment of

HRA, CCA, Leave, Medical, PF facilities and Productivity Linked Bonus. While so, they were engaged to discharge duties attached to Group 'C' and Group 'D' posts which had been remaining vacant for a long period. Such engagements were till regularization against posts in the compassionate appointment quota according to seniority. The engagement was thrust upon them with dire consequences if not accepted. Thus the petitioners have been working as Postal Assistants in Madurai Division since 1996-97 continuously discharging the same duties as regular employees with monthly salary of the minimum of the Basic Pay + Dearness Pay + Dearness Allowance as of regular Postal Assistants but denying increments, HRA, CCA, Leave, Medical and PF incentives. Their claim is that they are entitled to the said benefits on par with regular employees. The eligibility to HRA and CCA as under Rule-110(b), Appendix-VI of Volume-4 of P&T Manual was adjudged to be eligible by the High Court of Madras to similarly situated persons. It is also the case of the petitioners that the Productivity Linked Bonus is not being paid since 1997 but which is given to Casual Labourers on completion of 240 days of work. The petitioners have not been classified under any category in spite of Section-46 of Standing Orders. They are also entitled to increments.

8. As against the case of the petitioners, the case of the Respondent is that petitioners being not regular employees are not entitled to the claims given only to the regular employees. P&T Manual, Volume-4 is applicable only to regular employees. The claim of benefits is linked with SLP pending before the Supreme Court from which there is stay. For bonus eligibility, it is a policy matter of the department and department cannot be blamed. Only with absorption they would be classified as Central Government Employees and they do not come under the purview of the ID Act. They are not eligible for increment till regularized. Medical facility can also be given only on absorption. Only regular employees can subscribe to GPF. The Respondents have to wait for the outcome of the SLP. The Respondents officials cannot decide on policy matters and only the department could, which has not been impleaded as a party.

9. On behalf of the petitioners, the learned counsel argued that in the matter of claims of the same nature the department is adopting their own views varying from forum to forum to suit them and is taking an indifferent stand. He contended that the petitioners should have been given the benefits extended to casual labourers categorizing them at least as on par with the casual labourers. Denial of the benefits for the reason that they are not classified and are only categorized waitlisted candidates is not at the fault of the petitioners. Nomenclature of the posts held is not to be reckoned material for the extension of the benefits. The SLP is not connected with the dispute involved in this ID. While the petitioners are doing the very regular work of Postal Assistants, denial of the benefits extended even to casuals is illegal and arbitrary.

10. The arguments advanced on behalf of the Respondent are while clinging to the pleaded points in the Counter Statement it is further argued that Government policy should be allowed to have the upper hand and that the creation of posts is a prerogative of the Government and the petitioners are not entitled to the claim.

11. As it seems the ratio behind the denial of the benefits to the petitioners is that the petitioners have not been classified in the matter of appointment against categorized posts. They are neither regular employees nor casuals. They are only candidates waitlisted for regularization/absorption under compassionate appointment quota of 5% earmarked for the dependents of employees dying in harness. It is not disputed that they are qualified and meritorious candidates who have already undergone the Induction Training imparted by the P & T Department. According to the Respondents, giving of bonus is a policy matter of the department and the Respondent officials themselves cannot decide the issue. For want of a policy decision on the matter, the officials are not to be blamed. It is also the case of the Respondents that the petitioners not being employees falling under the classification of Central Government Employees, they do not come under the I D Act. Again according to them, the Respondents have to wait till the outcome of the SLP order. But according to the petitioners, the SLP is only regarding the 5% quota reservation for compassionate appointments. According to the petitioners, the High Court has already adjudged the eligibility of persons like petitioners for HRA and CCA, which claim when urged by the petitioners was rejected by the Respondents. In spite of the order of the Central Administrative Tribunal to extend the benefits to them, it has not been complied with.

12. On a consideration of the rival contentions, I am of the view that since the SLP is only on a related matter the present question could well be proceeded with and adjudicated in this forum for resolving the controversy. The claim of the petitioners being at least for an on par treatment with the casual employees to whom the benefits are extended, such claims if not all, which are extended to the casual employees whether should be given to the petitioners who are presently working in the place of regular employees due to non-filling of the vacancies in regular posts by the department, of course, not in the quota earmarked for compassionate appointment. The case of the petitioners is that they have been working since 1996-97 extending to more, than 10 years in the said capacity. They are working without interruption of service because the department cannot spare them without detriment to its interest. At the same time, they cannot be absorbed or regularized since the appointment under the compassionate scheme cannot exceed 5% as per the rule in vogue. However, they are employees capable of being absorbed or regularized in the service when vacancies arise

against the 5% quota in compassionate appointment scheme. It is not disputed that the appointment is not in accordance with seniority list of the waitlisted candidates. In as much as these candidates are sure to be appointed in the future why the benefits extended to the regular employees should not be extended to them? If conferment of a benefit like the extending of Productivity Linked Bonus is to depend on the policy decision of the department and the Respondent officials themselves cannot decide and again the claim is bad for non-joinder of the department as a necessary party which alone can take policy decision on the matter why there shall not be a direction to the officials who hold top positions in the array of the hierarchy of the authorities to persuade and mould the policy in such a way as to include the persons like the petitioners as well for eligibility for the receipt of the Productivity Linked Bonus. The benefits payable to the petitioners need not have to be limited on a pro-rata basis of the days worked by the petitioners as is being done presently as per Memo dated 16-07-1996 issued by the Chief Post Master General which gives the petitioner only a status equal to persons working under outsourcing method since it is shown that the petitioners are working continuously without any break. When such denial of bonus to the petitioners is as an outcome of a wrong policy decision of the department of the government or of the policy being only such that it requires to be set right by moulding or changing the policy directed towards extending those benefits to persons like petitioners as well to meet the ends of justice, equity and good conscience which is to promote socialistic concept of welfare and to provide equal pay for equal work as enshrined in the Constitution. If the denial of opportunity to subscribe to the GPF is for the wanting of a provision, can it not be made good by incorporating a provision so as to accommodate persons like petitioners who are in the proximate prospect of being absorbed in the near future by way of amendment in the GPF Rules also in as much as here is a case of persons who are already working in the place of regular employees and are in the likelihood of being regularized against the 5% quota earmarked for compassionate scheme personnel unlike the case of persons whose rank is so remote in the waiting list with no likelihood of being absorbed and who are therefore sought and solicited to accept the appointment under the Gramin Dak Sevak in lieu of full time engagement for want of vacancies? There seems to be no valid reason why the benefits claimed such as HRA, CCA, Leave, Medical, PF facilities and Productivity Linked Bonus given to the regular employees in whose places the petitioners have been working un-interrupted for long year should be denied to them for the mere reason that they do not form under a specific category by way of classification under the P & T Department. There is no rhyme or rhythm in denying the benefits to them merely for the reason that they do not fall under a specific classification. It is relevant to consider that if in the places of petitioners regular employees

themselves were working were they not to be paid the same benefits? In that view of the matter as well the denial of benefits is unjust and illegal. It is again pertinent to ask merely with extending the claimed benefits to them as well without they actually having been absorbed or regularized would the same lead to a foreboding as to conferring upon them any special privilege or priority under the department due to which if for any valid and legal reason must they be turned out of service or reduced in rank or the like they cannot so be so dealt with. The answer is emphatically in the negative. In other words, it is made clear that with the extension of the claimed benefits to the petitioners they are not going to be placed on a higher pedestal in the hierarchy except being made beneficiaries of the normal benefits extended to the regular employees in whose places the petitioners are working on the same degree of workload, duties and responsibilities under the service as that of regular employees. There is no reason why they should be discriminated with the regular employees vis-a-vis the casual employees. In *SAN JAY K. SINHA-II AND OTHERS VS. STATE OF BIHAR AND OTHERS* [(2004)-10-SCC-734] the Apex Court has held that such appointments are merely fortuitous and it cannot confer the benefit of seniority over the regular employees to be appointed against the open quota since the appointment of the petitioners with eligibility for appointment under compassionate appointment quota only is against open quota in the exigencies of services of the Respondent/Management. It is so again for the reason that the appointment of the petitioners has to be to the post in the service according to the rules and within the quota to a substantive vacancy and since seniority has to be determined with reference to date of their substantive appointment, which as regards the petitioners is to take effect from a future date only with the arising of vacancies under the 5% compassionate appointment quota. It is for want of vacancies against the 5% compassionate appointment quota and still with and due to the availability of vacancies in the general quota, due to dire need of being filled up, that the petitioners were engaged to discharge duties in those vacant posts till they are regularized. The above decision further lays down that when the posts to which appointments were to be made were not available or nonexistent there was no appointment to the service, much less substantive appointment and, therefore, such appointees cannot be given seniority from the purported date of their appointment. The dictum of the decision is akin to that of the appointments of the petitioners herein. The petitioners cannot claim seniority over regular employees to be appointed, though later in point of time. But the petitioners are not to be denied the benefits by way of conditions of service on par with regular employees under the concepts equal pay for equal work. If the only impediment is the absence of a correct policy decision or a statutory provision, the same could be made good by the competent authorities by switching over to a correct policy and incorporating a relevant provision in the concerned

statute or amending a relevant provision as may be just and convenient for which the Respondent officials as the authorities of the department shall set in a motion through the desired channels.

13. From the above discussion, I am of the considered view that the demand of the petitioners for payment of HRA, CCA, Leave, Medical, PF facilities and Productivity Linked Bonus is legal and justified. The Respondents are directed to take early steps to extend the benefits to the petitioners.

14. The reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 29th July, 2010)

A.N. JANARDANAN, Presiding Officer

Witnesses Examined

For the I Party/Petitioner : WW1, Sri Gangaikonda Chozhan

For the II Party/Management : MW1, Sri S. Ramamurthy

Documents Marked

From the Petitioner's side

Ex.No.	Date	Description
(1)	(2)	(3)
Ex.W1	16-07-1996	Payment of wages to candidates approved on compassionate appointment and utilized in short term/leave vacancies.
Ex.W2	26-11-1996	Relieving Order issued by the training centre to the 4th Petitioner upon successful completion of Postal Induction Training.
Ex.W3	21-02-1997	Letter of Chief Postal Master General directing that all approved candidates for compassionate appointment be utilized in leave/short term vacancies.
Ex.W4	15-04-1997	Letter of the 2nd Respondent directing the petitioner to undergo Rudimentary Training.
Ex.W5	16-06-1997	Letter of 2nd Respondent directing medical examination of the 1st Petitioner.
Ex.W6	16-06-1997	Letter of the 2nd Respondent directing the 1st Petitioner to undergo Induction Training.
Ex.W7	06-08-1997	Approval of appointment of the 2nd Petitioner under the compassionate appointment quota.

(1)	(2)	(3)	(1)	(2)	(3)
Ex.W8	28-08-1998	Letter of the 2nd Respondent directing the 2nd Petitioner to undergo Rudimentary Training.			Chennai directing the 8th Petitioner to undergo Induction Training.
Ex.W9	28-08-1998	Letter of the 2nd Respondent directing the 10th Petitioner to undergo Rudimentary Training.	Ex.W24	06-09-1999	Letter of the 2nd Respondent directing the 3rd & 9th Petitioners to undergo Induction Training.
Ex.W10	25-03-1999	Letter of the 2nd Respondent directing the 10th Petitioner to undergo Practical Training.	Ex.W25	10-09-1999	Letter of the 2nd Respondent issued with regard to posting of the 9th Petitioner.
Ex.W11	31-03-1999	Letter of the 2nd Respondent directing the 2nd Petitioner to undergo Induction Training.	Ex.W26	10-09-1999	Order issued in respect of the 5th Petitioner.
Ex.W12	28-04-1999	Approval of the appointment of 5th Petitioner under the compassionate appointment quota.	Ex.W27	01-11-1999	Posting Order issued in respect of the 7th Petitioner.
Ex.W13	14-05-1999	Letter of the 2nd Respondent directing the 5th Petitioner to undergo Rudimentary Training.	Ex.W28	02-11-1999	Letter of the 2nd Respondent directing the 7th petitioner to undergo Rudimentary Training.
Ex.W14	18-06-1999	Letter of 2nd Respondent directing the 2nd Petitioner to undergo practical training.	Ex.W29	25-11-2009	Letter of the 2nd Respondent directing the 3rd Petitioner to undergo Practical Training.
Ex.W15	22-06-1999	Approval of appointment of the 8th Petitioner under the compassionate appointment quota.	Ex.W30	25-11-2009	Letter of the 2nd Respondent directing the 7th Petitioner to undergo Induction Training.
Ex.W16	05-07-1999	Letter of the 2nd Respondent with regard to the posting of the 2nd Petitioner.	Ex.W31	03-12-2009	Order issued to the 8th Petitioner upon successful completion of the Postal Induction Training.
Ex.W17	15-07-1999	Approval of the appointment of the 3rd Petitioner under the compassionate appointment quota.	Ex.W32	09-12-1999	Letter of the Sr. Superintendent of Post Office, Chennai to the 8th Petitioner.
Ex.W18	15-07-1999	Approval of the appointment of the 3rd Petitioner under the compassionate appointment quota.	Ex.W33	28-01-2000	Approval of appointment of the 6th Petitioner under the compassionate appointment quota.
Ex.W19	26-07-1999	Letter of the Senior Superintendent of Post Office Chennai to the 8th Petitioner.	Ex.W34	24-02-2000	Letter of the 2nd Respondent directing the 7th Petitioner to undergo practical training.
Ex.W20	06-08-1999	Letter of 2nd Respondent directing the 9th Petitioner to undergo Medical Examination.	Ex.W35	25-02-2000	Letter of the 2nd Respondent directing the 6th Petitioner to undergo Rudimentary Training.
Ex.W21	06-08-1999	Letter of the 2nd Respondent directing the 3rd and the 9th Petitioner to undergo Medical Rudimentary Training.	Ex.W36	13-03-2000	Posting order issued by the 2nd Respondent in respect of the 7th Petitioner upon successful completion of Induction & Practical Training.
Ex.W22	02-09-1999	Letter of the 2nd Respondent directing the 2nd Petitioner to undergo Practical Training.	Ex.W37	31-05-2000	Performance report in respect of the 1st Petitioner issued by the 2nd Respondent.
Ex.W23	03-09-1999	Letter of the Senior Superintendent of Post Office,	Ex.W38	22-06-2000	Letter of the 2nd Respondent directing the 6th Petitioner to undergo Induction Training.

(1)	(2)	(3)
Ex.W39	11-09-2000	Letter of the 2nd Respondent directing the 6th Petitioner to undergo Practical Training.
Ex.W40	15-09-2000	Order issued in respect of the 6th Petitioner upon successful completion of Postal Induction Training.
Ex.W41	19-09-2000	Posting order issued in respect of the 6th and the 9th Petitioners of the 2nd Respondent.
Ex.W42	20-09-2000	Letter of the 2nd Respondent directing Medical Examination of the 6th Petitioner.
Ex.W43	27-08-2001	Letter issued to the 1st Petitioner for procuring more business to the department.
Ex.W44	30-08-2001	Posting of the 1st Petitioner as Marketing Executive in Madurai Head Office.
Ex.W45	28-03-2002	Order of CAT Chennai in OA No. 802 of 2001 and batch.
Ex.W46	04-06-2002	Posting order issued in respect of the 8th Petitioner.
Ex.W47	25-06-2006	Order issued by the Directorate for awarding productivity link bonus for the year 2005-2006.
Ex.W48	07-12-2006	Direction issued to approved candidates to attend duty even during strike period.
Ex.W49	20-06-2007	Order of High Court Madras in WP No. 10059 of 2003 and.
Ex.W50	01-02-2002	Xerox copy of the reply to common rejoinder in OA No. 1006 and 1237 of 2001 before the Central Administrative Tribunal, Chennai.

From the Management side:

Ex.No.	Date	Description
	Nil	

नई दिल्ली, 6 अगस्त, 2010

का. आ. 2136.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सीनियर सुपरिन्टेन्डेंट ऑफ पोस्ट ऑफिसों के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं.-II चण्डीगढ़ के पंचाट (संदर्भ संख्या 395/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-8-2010 को प्राप्त हुआ था।

[सं. एल-40012/21/2004-आई आर(डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 6th August, 2010

S. O. 2136 —In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 395/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Sr. Superintendent of Post Offices and their workman, which was received by the Central Government on 06-08-2010.

[No. L-40012/21/2004-IR(DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE**IN THE INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH**

PRESENT: Sri A. K. Rastogi, Presiding Officer

Case No. I.D. 395/2K5

Instituted on 19-08-2005

Sh. Baljit Singh,

S/o Sh. Gajjan Singh.

R/o Village Thakarwal,

PO Lattan Kalan,

District Ludhiana

... Applicant

Versus

The Senior Superintendent of Post Offices,

Department of Post,

Post Office, Ludhiana

... Respondent

APPEARANCES

For the Workman : Sh. R. P. Rana, AR

For the Management : Sh. Namit Kumar, Adv.

AWARD

Passed on 22nd July, 2010

Government of India vide Notification No. L-40012/21/2004-IR (DU) Dated 06/07/2004, by exercising its powers under Section 10 sub-section (1)(d) and sub-section (2A) of the Industrial Disputes Act, 1947 (hereinafter referred as the Act), has referred the following Industrial Dispute for adjudication to this Tribunal:—

“Whether the action of the management of Senior Supdt. of Post Offices, Ludhiana in terminating the service of Sh. Baljit Singh S/o Sh. Gajjan Singh w.e.f. 4-3-2000 without any notice and without any payment of retrenchment is illegal and unjustified? If so to what relief the concerned workman is entitled to and from which date?”

The workman has raised the present industrial dispute by stating that he had joined the service in the Post Office, ED Branch at village Thakarwal under the management on 23-03-1998, where he worked continuously up to 04-03-2000 when his services were terminated by an oral order without any notice or paying retrenchment compensation and a new incumbent Ram Parkash Singh

was appointed in his place. He had completed more than 240 days in each year including the year of his illegal retrenchment and his employment cannot be terminated without complying the provisions of Industrial Disputes Act. He has asked for his reinstatement and regularization of service with full back wages and consequential benefits and interest.

The claim was contested by the Management. It was stated that Postal Department is not an industry and the applicant is not a workman. At the time of his engagement, the workman had given an undertaking to the effect that he will be liable to be discharged from the service on appointment of a regular incumbent. The aforesaid undertaking was a condition of the contract of his engagement/appointment and therefore, the termination of his services does not fall within the definition of 'Retrenchment'. His case is covered by the exception clause 2(00)(bb) of the Act. His appointment was provisional and temporary for three hours work daily as per business hours. The temporary arrangements of B.O. was terminated on 04-03-2000 and the charge of EDBPM Thakarwal in account with Laltan Kalan S.O. was transferred to Acheerpal Singh EDR of Dad B.O. in account with Laltan Kalan S.O. who was already a regular Extra Departmental Employee of the Postal Department. Charge of EDBPM was never transferred to Ram Parkash Singh.

In the rejoinder the workman disputed the plea of the management that the Post Office is not an industry and applicant was not a workman. According to him, the arrangements about his posting was permanent in nature for whole day and the undertaking given by him cannot be said to be a contract and the case of the workman fall within the ambit of retrenchment. He further stated that Acheerpal Singh EDR was given the charge just to terminate his services.

In support of his claim, the workman filed his affidavit and photo copies of taking over and handing over charge reports. On behalf of management, the affidavit of Superintendent of Post Offices, Ludhiana, Kulwant Singh was filed along with certain photo copies of the documents.

I have heard the learned counsel for the parties and have gone through the evidence on record.

In this reference following points crop up for decision:—

1. Whether the postal Department is an industry and the claimant is a 'workman' under the Act.
2. Whether the termination of service of the workman is a retrenchment?
3. Whether the workman completed 240 days service in a calendar year immediately preceding his retrenchment and his retrenchment is violative of provisions of Section 25F of the Act?
4. To what relief is the workman entitled to?

Point No. 1

In its written statement the management has taken the plea that the Postal Department is not an industry and the claimant is not a workman. The learned counsel for the workman in this regard cited a case law laid down in General Manager Telecom Versus S Srinivasan Rao and others 1981(1) SC Service Law Judgements 106 wherein it was held by a three Judges Bench that the law laid down in Sub-Divisional Inspector of Posts Vaikam & Others Versus E. Joseph & Others (1996) 8 SCC 489 that the functions of Postal Department are part of sovereign functions of the State and it is, therefore, not an industry was held not to be the correct law. It is thus clear that the Postal Department, which also carries on the commercial activities like banking and insurance, is an industry.

Admittedly, there was a relation of employee and employer between the management and the claimant. Hence, the claimant cannot be denied the status of a workman. Point No. 1 is therefore, decided against the management.

Point No. 2

It was argued on behalf of the management that the appointment of the workman on the post of EPBPM was only a provisional and temporary arrangement and for three hours a day only. He has given an undertaking, a copy whereof is Annexure R-1 of the written statement to the effect that he will hand over the charge on the appointment of a regular incumbent appointed through Employment Exchange. The temporary arrangement of the Branch Office was terminated on 04-03-2000 and the charge of EDBPM Thakarwal was transferred to Acheerpal Singh EDR, who was already a departmental employee of the department.

Against it, the learned counsel for workman argued that despite the arrangement of the appointment of workman being temporary, he was workman and his services could not be terminated without the compliance of the provisions of the Act. Even if the undertaking Annexure R-1 of the written statement is considered, his engagement was to continue till regular appointment through Employment Exchange is made. Acheerpal Singh is not a regular employee selected through Employment Exchange.

It will be seen that the management itself has stated in the written statement in para 3 that the process of recruitment had been started but it could not be completed as no eligible candidate could be found. Management has supported his case in this regard by filing photo copies of M-1/3 to M-1/8. The management witness Kulwant Singh during cross-examination told that internal arrangement was made by the management from nearby branches out of the Extra Departmental Employees and also that the appointment of Acheerpal Singh is not regular against the post of EDBPM. He is simply holding the charge. He is EDR and getting the salary of the same post and not that of EDBPM.

It is not clear as to why and under whose order

temporary arrangement of B. O. was terminated on 04-03-2000 and the necessity arose to hand over the charge of EDBPM, Thakarwal to Acheerpai Singh. The appointment of the workman on the said post may be provisional and temporary but he was workman for the purposes of the Act and termination of his service is not in the terms of the said undertaking Annexure R-I of the written statement.

If the management says that R-I undertaking of the workman is a contract, then the contract did not terminate under the stipulation regarding the appointment of a regular incumbent appointed through Employment Exchange. As per showing of the management itself the attempt to make a regular appointment through Employment Exchange failed and Acheerpai Singh, the person who was allowed to work in the place of the workman is simply holding the charge of the post of EDBPM. He was EDR and is getting the salary of the same post. It is in the cross-examination of the management witness that the post of EDBPM is higher than that of EDR.

I am therefore, of the opinion that the present case does not fall within the ambit of Section 2(00)(bb) of the Act. The termination of services of the workman is retrenchment within the meaning of Section 2(00) of the Act. Point No. 2 is decided against the management.

Point No. 3

The workman has stated in his claim statement that he had completed more than 240 days in each year including the year of his illegal retrenchment. The management in its written statement has not specifically denied this fact. In his affidavit also the workman has reiterated the same but he was not cross-examined on this point. In his affidavit the management witness also has not denied this fact. During cross-examination he however, admitted that the workman had worked continuously from 23-03-1998 to 04-03-2000. There is no reason to disbelieve the statement of the workman that he completed more than 240 days service in each year including the year before his retrenchment.

Admittedly, the workman was not served with one month's notice or paid wages for the notice period and the retrenchment compensation as provided under Section 25F of the Act. Obviously his retrenchment is violative of provisions of Section 25F of the Act. Point No. 3 accordingly, is decided against the management.

Point No. 4

Workman has claimed his reinstatement and regularization of service with full back wages and consequential benefits and interest. However, during the arguments the learned counsel for workman submitted that he is not pressing for the relief of regularization of service. In this regard the learned counsel for the management has cited decisions of the Hon'ble Punjab and Haryana High Court in the District Manager Haryana Agro Industries Corporation Ltd. Kaithal & Another Versus Workman Bhira

Ram & Another 2008 (3) SCT 711 and Executive Engineer, P.W.D. (B&R), Rohtak Versus Karam Singh & Another 2009(1) SCT 94. In the case of District Manager Haryana Agro Industries Corporation Ltd., Kaithal (supra), the workman was employed as Security Guard on contract basis as per availability of work. He had completed 243 days before termination. The Hon'ble Court held that in view of the nature of the appointment he was not entitled to reinstatement. In Executive Engineer, P.W.D. (B&R), Rohtak (supra) the workman appointed de-horse rules of appointment was also not held entitled to reinstatement.

It is important to note that claimant was not a daily wager nor it is the case of the management that he was appointed de-horse rules of appointment. According to management his appointment was provisional and temporary. The workman is not insisting on his regularization. In **Vikram Singh Versus District Education Officer (Primary Education) Barmer and Others 2006 (108) FLR 725** (Reference: Treatise on Industrial Dispute Act, 1947 Vol. 1/ 1st Edition 2008, Reprint 2009 by S.D. Puri and Sandeep Puri -page 2544) where the services of the employee were terminated without compliance of Section 25F of the Act. A Division Bench of the Hon'ble Rajasthan High Court awarded a compensation of Rs. 75,000 as reinstatement had not been insisted. In **Haryana Tourism Corporation Limited Versus Fakir Chand and Others 2004 SCC (L&S) 36** where the retrenched employees were daily wagers not recruited through the Employment Exchange etc. nor regularized in service and their working of cooking and cleaning was of such a nature that they could be easily employed anywhere. The Hon'ble Apex Court holding that there reinstatement after a lapse of some years is unjustified, ordered the payment of Rs. 70,000 to each of the workmen in lieu of reinstatement (Reference: S.D. Puri and Sandeep Puri's) Treatise on Industrial Disputes Act (supra).

In this case since the workman was not recruited through Employment Exchange and not regularized in service I think that in view of the above law he is entitled to compensation in lieu of reinstatement. He had served for about two years in the Department. As per MW-1/2 the post of EDDBM was carrying a salary of Rs. 275 + D.A. + Delivery Allowance at Rs 75 per month. I consider a compensation of Rs. 50,000 as just and proper.

On the basis of the above going discussions, it is held that the action of the management of Senior Superintendent of Post Offices, Ludhiana in terminating the services of the claimant Baljit Singh son of Shri Gajjan Singh with effect from 04-03-2000 without any notice and without any payment of retrenchment compensation is not legal and justified. He is entitled to a lump sum compensation of Rs. 50,000 (Rupees fifty thousand only) in lieu of reinstatement and back wages etc. Let a copy of the award be sent to the Central Government for further necessary action and record be consigned after due compliance.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 6 अगस्त, 2010

का. आ. 2137.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गैरीसन इंजीनियर, एम.ई.एस के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नं.-II, चण्डीगढ़ के पंचाट (संदर्भ संख्या 396/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-8-2010 को प्राप्त हुआ था।

[सं. एल-13012/3/2000-आई आर(डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 6th August, 2010

S. O. 2137.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 396/2005) of the Central Government Industrial Tribunal-cum-Labour Court No II, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Garrison Engineer, M.E.S. and their workman, which was received by the Central Government on 06-08-2010.

[No. L-13012/3/2000-IR(DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

IN THE INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Present : Sri A.K. Rastogi, Presiding officer

Case No. I.D. 396/2005

Instituted on 19-08-2005

Sh. Rattan Sen,
S/o Sh. Bisen Sen,
C/o Sh. Ashish Grover,
H.No. 1079, Sector-2,
Panchkula. (Haryana)

... Applicant

Versus

The Garrison Engineer,
M.E.S.,
Bhatinda (Punjab)

... Respondent

APPEARANCES

For the workman : Sh. Ashish Grover, Adv.

For the Management : Sh. K.K. Thakur, Adv.

AWARD

Passed on 28th July, 2010

Government of India vide Notification No. L-13012/3/2000 [(IR (DU)] Dated 30-06-2000, by exercising its powers under Section 10 Sub-Section (1)(d) and Sub-Section (2A) of the Industrial Disputes Act, 1947 (hereinafter referred as the Act), has referred the following Industrial dispute for adjudication to this Tribunal:—

“Whether the action of the management of Garrison Engineer, MES, Bhatinda in terminating the service

of Sh. Rattan Sen S/o Sh. Bisan Sen without paying him any retrenchment compensation is legal and justified? If not, to what relief the workman is entitled and from which date?”

As per claim statement, the workman was appointed as Labour on 16-03-1986 and his services were terminated on 31-01-1987 without complying with the provisions of Section 25F of the Act. He had approached the Central Administrative Tribunal also, but his O.A. was dismissed without going into the merits on the grounds of exhausting alternative remedy under the Industrial Disputes Act. The workman has alleged violation of Sections 25G and 25H of the Act also. He has claimed his reinstatement with continuity of service and full back wages.

The claim was contested by the management on the grounds that the claim is barred by limitation. According to the management the workman was employed on Muster Roll on specific project and was discharged on completion of the project. He did not serve continuously for a period of one year. He was a daily wager and no notice under Section 25F of the Act was required.

On the pleadings of the parties, the following issues arise for consideration:—

1. Whether the services of the workman were terminated in violation of Section 25F of the Act ?
2. Whether there is a violation of Sections 25G and 25H of the Act ?
3. Whether the claim is barred by limitation ?
4. To what relief the workman is entitled to ?

In evidence, the workman filed his affidavit. On behalf of the management the affidavit of Major Alok Shukla, Garrison Engineer was filed but he subsequently did not turn up for cross-examination. On 10-11-2009 the then Presiding Officer closed the evidence of the management and ordered that the affidavit will not be considered in evidence. In the reply of the management there is mention of two papers Annexure-A and Annexure-B. However, only one paper Annexure-A is annexed with the reply. There is no paper like Annexure-B.

I have heard the learned counsel for the parties and considered the evidence on record. My findings on the various issues are as follows :

Issue No. 1

From Annexure 1, the case of the workman that he was employed from 16-03-1986 to 31-01-1987 and his services were terminated appears to be correct. The annexure contains the details of the working days also and according to it before his retrenchment on 31-01-1987, the workman had worked for 256 days from the date of employment till his termination. It is thus clear that he had completed one year service. His services could not have been terminated without compliance of Section 25F of the

Act but admittedly neither he was given one month's notice nor was paid any wages in lieu of notice and retrenchment compensation. Obviously, his termination was in violation of the provisions of Section 25F of the Act.

The management says that the workman had been employed on a specific project and he was discharged after completion of that specific project. The plea has not been elaborated. It is nowhere mentioned as to what the specific project was, when it commenced and when it lasted? The plea of the management in this regard appears to be vague and without basis. It is, therefore, held that the services of the workman were termination in violation of Section 25F of the Act. Issue No. 1 is decided against the management.

Issue No. 2

The workman has alleged that while terminating his services, juniors to him were retained in service and after his termination number of persons were employed without giving him any opportunity. But he has not made it clear as to which of the junior employees to him were retained by the management and which employee was employed after his termination. Obviously, the plea has no basis and if cannot be accepted. Issue No. 2 is decided against the workman.

Issue No. 3

It was argued on behalf of the management that this reference is barred by limitation and in another matter *Ramesh Kumar v. Union of India* the Government of India refused to refer the matter for adjudication as the same has been raised after a lapse of over 11 years. I am of the view that on the analogy of the matter of *Ramesh Kumar* aforesaid, the reference cannot be struck off on the grounds of delays.

In his affidavit the workman has alleged that after the termination of his services he had approached Central Administrative Tribunal, where his application was dismissed on 19-08-1992 without going into the merits on the grounds of exhausting alternative remedy under Industrial Disputes Act. He thereafter, serve demand notice and hence, this reference. I agree with the learned counsel for the workman that under the circumstances, the workman cannot be held liable for delay and the reference cannot be answered against him on the grounds of delay only. It is, therefore, held that the reference is not barred by limitation. Issue No.3 is decided against the management.

Issue No. 4

The learned counsel for the workman drew my attention to the affidavit of Major Alok Shukla, Garrison Engineer in which he had admitted that the services of the

workman along with some other persons had been terminated as no longer required. Feeling aggrieved all the persons along with applicant filed separate O.As in Central Administrative Tribunal challenging their termination, but the same were dismissed in limine on 19-08-1992 being not maintainable as the applicants had not exhausted remedy available to them under the Industrial Disputes Act. The affidavit further says that some of the employees except the workman challenged the order before the Hon'ble Supreme Court of India, where the order of the Tribunal was set aside and management was directed to consider the cases of the applicants in accordance with law laid down in the *State of Haryana Versus Piara Singh's* case and the persons who fulfilled the requisite qualifications and experience were regularized.

It was submitted on behalf of the management that since the workman had not challenged the order of the Tribunal before the Apex Court hence, he is not entitled to any relief on the basis of relief granted to the petitioners before the Supreme Court. In this regard the learned counsel for the workman filed a copy of judgment dated 13-11-2009 of the Central Administrative Tribunal, Principal Bench in O.A. No. 664/2000 *Shri Raj Singh Versus Union of India & others*, wherein on the basis of law laid down in *Amrit Lal Beri Versus Collector of Central Excise, New Delhi & Others* 1975 (1) SLR SC 153 the Hon'ble Tribunal extended the benefit of the decision of the Apex Court to the applicants Raj Singh also. According to the law laid down in *Amrit Lal Beri's case (supra)* under Article 141 of the Constitution of India the judgment of the Hon'ble. Supreme Court declaring law is bound to be followed and the same is not to be confined to the parties before it but are also be applied to the similarly situated petitioners. I agree with the learned counsel for the workman that the workman is also entitled to the benefit of the judgment of Hon'ble Supreme Court.

From the above going discussion it is clear that the termination of the services of the workman without any notice and retrenchment compensation is not legal and justified. He is entitled to the benefit of the judgment of the Hon'ble Supreme Court referred to in paras 1 and 2 of the affidavit of Management witness Major Alok Shukla, Garrison Engineer. The management is therefore, directed to take necessary steps to accord all the benefits in accordance with the said judgment to the workman within a period of three months from the date of receipt of the copy of this Award. The reference is answered against the management. Let a copy of the award be sent to the Central Government for further necessary action and record be consigned after due compliance.

ASHOK KUMAR RASTOGI, Presiding Officer